

## SEVENTY-EIGHTH DAY

St. Paul, Minnesota, Monday, April 4, 2016

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Sieben imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Kent Norell.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators answered to their names:

Abeler	Dziedzic	Ingebrigtsen	Nienow	Sieben
Bakk	Eaton	Jensen	Osmek	Skoe
Benson	Eken	Johnson	Pappas	Sparks
Bonoff	Fischbach	Kent	Pederson	Stumpf
Brown	Franzen	Kiffmeyer	Rest	Thompson
Carlson	Gazelka	Koenen	Rosen	Tomassoni
Champion	Goodwin	Limmer	Ruud	Torres Ray
Clausen	Hall	Lourey	Saxhaug	Weber
Cohen	Hann	Marty	Scalze	Wiger
Dahle	Hawj	Metzen	Schmit	Wiklund
Dahms	Hayden	Nelson	Senjem	
Dibble	Housley	Newman	Sheran	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communication was received.

March 30, 2016

The Honorable Sandra L. Pappas  
President of the Senate

Dear Senator Pappas:

I am pleased to announce that the Senate Finance Committee has formed the Equity Subcommittee.

Below is a list of the subcommittee's membership:

Senator Jeff Hayden, co-chair; Senator Bobby Joe Champion, co-chair;

Senator Jim Abeler; Senator Kari Dziedzic;

Senator Chris Eaton; Senator FOUNG Hawj;

Senator Vicki Jensen; Senator Warren Limmer;

Senator Carla Nelson; Senator Julianne Ortman;

Senator Sandra Pappas; Senator Eric Pratt;

Senator Carrie Ruud; Senator Tom Saxhaug;

Senator Patricia Torres Ray.

Please let me know if you have any questions.

Sincerely,  
Richard J. Cohen  
Chair, Senate Finance Committee

#### REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was re-referred**

**S.F. No. 2610:** A bill for an act relating to education; providing all students, including low-income and minority students, with improved and equitable access to effective and more diverse teachers; amending Minnesota Statutes 2014, sections 120B.11, as amended; 120B.35, subdivision 3; 123B.147, subdivision 3; 124D.861, as amended; Minnesota Statutes 2015 Supplement, sections 122A.40, subdivision 8; 122A.41, subdivision 5; 127A.05, subdivision 6.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was referred**

**S.F. No. 3028:** A bill for an act relating to higher education; making various technical and policy changes to higher education-related provisions; amending Minnesota Statutes 2014, section 136A.01, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 136A.1791, subdivisions 4, 5, 6; Laws 2015, chapter 69, article 3, section 20, subdivision 15; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**"ARTICLE 1****HIGH SCHOOL TESTING; COLLEGE READINESS AND REMEDIATION**

Section 1. Minnesota Statutes 2015 Supplement, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, consistent with subdivision 1a, shall include in the comprehensive assessment system, for each grade level to be tested, state-constructed tests developed as computer-adaptive reading and mathematics assessments for students that are aligned with the state's required academic standards under section 120B.021, include multiple choice questions, and are administered annually to all students in grades 3 through 8. State-developed high school tests aligned with the state's required academic standards under section 120B.021 and administered to all high school students in a subject other than writing must include multiple choice questions. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year.

(1) Students enrolled in grade 8 through the 2009-2010 school year are eligible to be assessed under (i) the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, (v) a nationally recognized armed services vocational aptitude test.

(2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are eligible to be assessed under (i) the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, (v) a nationally recognized armed services vocational aptitude test.

(3) For students under clause (1) or (2), a school district may substitute a score from an alternative, equivalent assessment to satisfy the requirements of this paragraph.

(b) The state assessment system must be aligned to the most recent revision of academic standards as described in section 120B.023 in the following manner:

(1) mathematics;

(i) grades 3 through 8 beginning in the 2010-2011 school year; and

(ii) high school level beginning in the 2013-2014 school year;

(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012 school year; and

(3) language arts and reading; grades 3 through 8 and high school level beginning in the 2012-2013 school year.

(c) For students enrolled in grade 8 in the 2012-2013 school year and later, students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

(1) an opportunity to participate on a nationally normed college entrance exam, in grade 11 or grade 12;

(2) achievement and career and college readiness in mathematics, reading, and writing, consistent with paragraph (j) (k) and to the extent available, to monitor students' continuous development of and growth in requisite knowledge and skills; analyze students' progress and performance levels, identifying students' academic strengths and diagnosing areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and, based on analysis of students' progress and performance data, determine students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student; and

(3) consistent with this paragraph and section 120B.125, age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.

Based on appropriate state guidelines, students with an individualized education program may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

(d) Expectations of schools, districts, and the state for career or college readiness under this subdivision must be comparable in rigor, clarity of purpose, and rates of student completion.

A student under paragraph (c), clause (2), must receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49, and related sections, an enrolling school or district must actively encourage a student in grade 11 or 12 who is identified as academically ready for a career or college to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.

(e) Though not a high school graduation requirement, students are encouraged to participate in a nationally recognized college entrance exam. With funding provided by the state, a district must pay the cost, one time, for an interested student in grade 11 or 12 to take a nationally recognized college entrance exam before graduating. A student must be able to take the exam under this paragraph at the student's high school during the school day and at any one of the multiple exam administrations available to students in the district.

(f) The commissioner and the chancellor of the Minnesota State Colleges and Universities must collaborate in aligning instruction and assessments for adult basic education students and English learners to provide the students with diagnostic information about any targeted interventions, accommodations, modifications, and supports they need so that assessments and other performance measures are accessible to them and they may seek postsecondary education or employment without need for postsecondary remediation. When administering formative or summative assessments used to measure the academic progress, including the oral academic development, of English learners and inform their instruction, schools must ensure that the assessments are

accessible to the students and students have the modifications and supports they need to sufficiently understand the assessments.

(g) Districts and schools, on an annual basis, must use career exploration elements to help students, beginning no later than grade 9, and their families explore and plan for postsecondary education or careers based on the students' interests, aptitudes, and aspirations. Districts and schools must use timely regional labor market information and partnerships, among other resources, to help students and their families successfully develop, pursue, review, and revise an individualized plan for postsecondary education or a career. This process must help increase students' engagement in and connection to school, improve students' knowledge and skills, and deepen students' understanding of career pathways as a sequence of academic and career courses that lead to an industry-recognized credential, an associate's degree, or a bachelor's degree and are available to all students, whatever their interests and career goals.

(h) A student who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on high school assessments under subdivision 1a is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

(i) As appropriate, students through grade 12 must continue to participate in targeted instruction, intervention, or remediation and be encouraged to participate in courses awarding college credit to high school students.

(j) In developing, supporting, and improving students' academic readiness for a career or college, schools, districts, and the state must have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without need for postsecondary remediation. The commissioner, in consultation with local school officials and educators, and Minnesota's public postsecondary institutions must ensure that the foundational knowledge and skills for students' successful performance in postsecondary employment or education and an articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admissions requirements.

(k) For students in grade 8 in the 2012-2013 school year and later, a school, district, or charter school must record on the high school transcript a student's progress toward career and college readiness, and for other students as soon as practicable.

(l) The school board granting students their diplomas may formally decide to include a notation of high achievement on the high school diplomas of those graduating seniors who, according to established school board criteria, demonstrate exemplary academic achievement during high school.

(m) The 3rd through 8th grade computer-adaptive assessment results and high school test results shall be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must establish empirically derived benchmarks on adaptive assessments in grades 3 through 8 and the high school tests that reveal a trajectory toward career and college readiness. The chancellor of the Minnesota State Colleges and Universities must review and confirm the benchmarks established by the commissioner as indicating students can be expected to successfully complete credit-bearing

coursework at a Minnesota state college or university. The commissioner must disseminate to the public the computer-adaptive assessments and high school test results upon receiving those results.

(n) The grades 3 through 8 computer-adaptive assessments and high school tests must be aligned with state academic standards. The commissioner shall determine the testing process and the order of administration. The statewide results shall be aggregated at the site and district level, consistent with subdivision 1a.

(o) The commissioner shall include the following components in the statewide public reporting system:

(1) uniform statewide computer-adaptive assessments of all students in grades 3 through 8 and testing at the high school levels that provides appropriate, technically sound accommodations or alternate assessments;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including average daily attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) state results on the American College Test; and

(4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement.

(p) For purposes of statewide accountability, "career and college ready" means a high school graduate has the knowledge, skills, and competencies to successfully pursue a career pathway, including postsecondary credit leading to a degree, diploma, certificate, or industry-recognized credential and employment. Students who are career and college ready are able to successfully complete credit-bearing coursework at a two- or four-year college or university or other credit-bearing postsecondary program without need for remediation.

(q) For purposes of statewide accountability, "cultural competence," "cultural competency," or "culturally competent" means the ability and will to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.

**EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and later.

Sec. 2. Minnesota Statutes 2015 Supplement, section 136F.302, subdivision 1, is amended to read:

Subdivision 1. **ACT college ready score.** A state college or university ~~may~~ must not require an individual to take a remedial, noncredit course in a subject area if the individual has received a college ready ACT score in that subject area.

Sec. 3. **[136F.3025] MCA COLLEGE-READY BENCHMARK.**

A state college or university must not require an individual to take a remedial, noncredit course in a subject area if the individual has received a college-ready MCA benchmark in that subject area, consistent with section 120B.30, subdivision 1, paragraph (m). As part of the notification of students and their families under section 120B.30, subdivision 1, paragraph (m), the commissioner shall include a statement that students who receive a college-ready benchmark on the high school

MCA are not required to take a remedial, noncredit course at a Minnesota state college or university in the corresponding subject area.

**EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later, except for notification of students and families consistent with Minnesota Statutes, section 136F.302, subdivision 1, which is effective for the 2016-2017 school year.

## ARTICLE 2

### OFFICE OF HIGHER EDUCATION

#### Section 1. [136A.0412] ACCEPTANCE OF PRIVATE FUNDS; APPROPRIATION.

The commissioner may accept donations, grants, bequests, and other gifts of money to carry out the purposes of section 136A.01. Money accepted by the commissioner must be deposited in an account in the special revenue fund and is appropriated to the commissioner for the purpose for which it was given.

Sec. 2. Minnesota Statutes 2015 Supplement, section 136A.1791, subdivision 4, is amended to read:

Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness, according to rules adopted by the commissioner, shall:

(1) apply for teacher shortage loan forgiveness and promptly submit any additional information required by the commissioner; and

~~(2) annually reapply for up to five consecutive school years and submit information the commissioner requires to determine the applicant's continued eligibility for loan forgiveness; and~~

~~(3)~~ (2) submit to the commissioner a completed affidavit, prescribed by the commissioner, affirming the teacher is teaching in: (i) a licensure field ~~and in~~ identified by the commissioner as experiencing a teacher shortage; or (ii) an economic development region identified by the commissioner as experiencing a teacher shortage.

Sec. 3. Minnesota Statutes 2015 Supplement, section 136A.1791, subdivision 5, is amended to read:

Subd. 5. **Amount of loan forgiveness.** (a) To the extent funding is available, the annual amount of teacher shortage loan forgiveness for an approved applicant shall not exceed \$1,000 or the cumulative balance of the applicant's qualified educational loans, including principal and interest, whichever amount is less.

(b) Recipients must secure their own qualified educational loans. Teachers who graduate from an approved teacher preparation program or teachers who add a licensure field, consistent with the teacher shortage requirements of this section, are eligible to apply for the loan forgiveness program.

(c) No teacher shall receive more than five annual awards.

Sec. 4. Minnesota Statutes 2015 Supplement, section 136A.1791, subdivision 6, is amended to read:

Subd. 6. **Disbursement.** (a) The commissioner must make annual disbursements directly to the participant of the amount for which a participant is eligible, for each year that a participant is eligible.

(b) Within 60 days of ~~receipt of a~~ the disbursement date, the participant must provide the commissioner with verification that the full amount of loan repayment disbursement has been applied toward the designated loans. A participant that previously received funds under this section but has not provided the commissioner with such verification is not eligible to receive additional funds.

Sec. 5. Laws 2015, chapter 69, article 3, section 20, subdivision 15, is amended to read:

Subd. 15. **Reporting.** (a) A college must report to the commissioner the following information:

- (1) the number of grantees and their race, gender, and ethnicity;
- (2) grantee persistence and completion;
- (3) employment outcomes; and
- (4) other information requested by the commissioner.

(b) The commissioner shall report ~~annually~~ by January 15, 2017, and January 15, 2018, to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education finance by college and in aggregate on the information submitted to the commissioner under paragraph (a). The commissioner may include in the report recommendations for changes in the grant program.

### ARTICLE 3

#### CHILD CARE GRANTS

Section 1. Minnesota Statutes 2015 Supplement, section 136A.125, subdivision 2, is amended to read:

Subd. 2. **Eligible students.** (a) An applicant is eligible for a child care grant if the applicant:

- (1) is a resident of the state of Minnesota or the applicant's spouse is a resident of the state of Minnesota;
- (2) has a child 12 years of age or younger, or 14 years of age or younger who is disabled as defined in section 125A.02, and who is receiving or will receive care on a regular basis from a licensed or legal, nonlicensed caregiver;
- (3) is income eligible as determined by the office's policies and rules, but is not a recipient of assistance from the Minnesota family investment program;
- (4) either has not earned a baccalaureate degree and has been enrolled full time less than eight semesters or the equivalent, or has earned a baccalaureate degree and has been enrolled full time less than eight semesters or the equivalent in a graduate or professional degree program;
- (5) is pursuing a nonsectarian program or course of study that applies to an undergraduate, graduate, or professional degree, diploma, or certificate;
- (6) is enrolled at least half time in an eligible institution; and
- (7) is in good academic standing and making satisfactory academic progress.

(b) A student who withdraws from enrollment for active military service after December 31, 2002, because the student was ordered to active military service as defined in section 190.05, subdivision 5b or 5c, or for a major illness, while under the care of a medical professional, that substantially limits the student's ability to complete the term is entitled to an additional semester or the equivalent of grant eligibility and will be considered to be in continuing enrollment status upon return.

#### ARTICLE 4

##### FEDERAL LOAN FORGIVENESS PROGRAM INFORMATION

###### Section 1. [136A.1792] PROMOTION OF FEDERAL PUBLIC SERVICE LOAN FORGIVENESS PROGRAMS.

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given.

(b) "Employer" means an organization, agency, or entity that is a public service organization under Code of Federal Regulations, title 34, part 685, section 219, provided that the following are not employers:

(1) a federal or tribal government organization, agency, or entity; and

(2) a tribal college or university.

(c) "Employment certification form" means the form used by the United States Department of Education to certify an individual's employment at a public service organization for the purposes of the federal public service loan forgiveness program.

(d) "Federal loan forgiveness program" means a loan forgiveness program offered under Code of Federal Regulations, title 34, part 685.

(e) "Public service loan forgiveness program" means the loan forgiveness program under Code of Federal Regulations, title 34, part 685, section 219.

(f) "Public service organization" means a public service organization under Code of Federal Regulations, title 34, part 685, section 219.

Subd. 2. Promotion of federal public service loan forgiveness programs. (a) The commissioner must develop and distribute informational materials designed to increase awareness of federal public service loan forgiveness programs among Minnesota residents who are eligible for those programs. At a minimum, the commissioner must develop and distribute informational materials that public service organizations may use to promote awareness of the federal public service loan forgiveness program, including:

(1) a one-page letter addressed to individuals who may be eligible for the public service loan forgiveness program that briefly summarizes the program, provides information on what an eligible individual must do in order to participate, and recommends that they contact their student loan servicer or servicers for additional information;

(2) a detailed fact sheet describing the public service loan forgiveness program; and

(3) a document containing answers to frequently asked questions about the public service loan forgiveness program.

(b) In place of developing and publishing an informational document required under paragraph (a), the commissioner may distribute a document published by a federal agency that meets the requirements of paragraph (a).

Subd. 3. **Publication of informational materials.** The commissioner must make the informational materials required under subdivision 2 available on the office's Web site and must verify each biennium that the informational materials contain current information. The commissioner must update and correct any informational materials that the commissioner finds inaccurate or outdated.

Subd. 4. **Employer information.** (a) An employer must provide an employee with information about the employee's potential eligibility for the federal public service loan forgiveness program. An employer must annually provide to each employee in written or electronic form the one-page letter, fact sheet, and frequently asked questions required under subdivision 2. In addition, an employer must provide a newly hired employee with that information within two weeks of the employee's first day of employment.

(b) At an employee's request, an employer must provide the employee with a copy of the employment certification form.

**EFFECTIVE DATE.** Subdivision 4 is effective January 1, 2017.

## ARTICLE 5

### DUAL CREDIT ACCEPTANCE INFORMATION

Section 1. Minnesota Statutes 2015 Supplement, section 136A.87, is amended to read:

#### **136A.87 PLANNING INFORMATION FOR POSTSECONDARY EDUCATION.**

(a) The office shall make available to all residents beginning in 7th grade through adulthood information about planning and preparing for postsecondary opportunities. Information must be provided to all 7th grade students and their parents annually by September 30 about planning for their postsecondary education. The office may also provide information to high school students and their parents, to adults, and to out-of-school youth.

(b) The office must make reasonable efforts to obtain publicly available information about the dual credit acceptance policies of each Minnesota, Wisconsin, South Dakota, and North Dakota public and private college and university. This information must be shared on the office's Web site and included in the information under paragraph (a).

(c) The information provided under paragraph (a) may include the following:

- (1) the need to start planning early;
- (2) the availability of assistance in educational planning from educational institutions and other organizations;
- (3) suggestions for studying effectively during high school;
- (4) high school courses necessary to be adequately prepared for postsecondary education;

- (5) encouragement to involve parents actively in planning for all phases of education;
- (6) information about postsecondary education and training opportunities existing in the state, their respective missions and expectations for students, their preparation requirements, admission requirements, and student placement;
- (7) ways to evaluate and select postsecondary institutions;
- (8) the process of transferring credits among Minnesota postsecondary institutions and systems;
- (9) the costs of postsecondary education and the availability of financial assistance in meeting these costs, including specific information about the Minnesota Promise;
- (10) the interrelationship of assistance from student financial aid, public assistance, and job training programs; and
- (11) financial planning for postsecondary education.

**EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and later.

## ARTICLE 6

### MNSCU CREDIT AND CURRICULUM

#### Section 1. **[136F.304] FULL VALUE OF CREDITS.**

The board must adopt policies that give full value to all credits obtained from a state college or university for use in satisfying credit requirements for a degree, diploma, or certificate. Among other policies, the board may adopt policies accepting those credits for the purpose of meeting general education credits or other distribution credit requirements. The policies must apply regardless of whether the credits were earned in a degree, diploma, or certificate program.

#### Sec. 2. **[136F.305] CURRICULUM CONSISTENCY.**

The board must adopt policies that provide for reasonable state college and university consistency among offerings of the same course, so students can have all credits in these courses transfer to any college or university, and so students are well prepared to advance through course sequences. Course curricula need not be identical, but a common core must exist among the same courses.

## ARTICLE 7

### MNSCU DEVELOPMENTALLY DISABLED PILOT

Section 1. Minnesota Statutes 2014, section 136A.101, subdivision 10, is amended to read:

Subd. 10. **Satisfactory academic progress.** "Satisfactory academic progress" means satisfactory academic progress as defined under Code of Federal Regulations, title 34, sections 668.16(e), 668.32(f), and 668.34, except that a student with an intellectual disability as defined in Code of Federal Regulations, title 34, section 668.231, enrolled in an approved comprehensive transition and postsecondary program under that section is subject to the institution's published satisfactory academic process standards for that program as approved by the Office of Higher Education.

**Sec. 2. STATE UNIVERSITIES; PILOT PROGRAM FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.**

**Subdivision 1. Pilot program created.** (a) The Board of Trustees of the Minnesota State Colleges and Universities must offer a pilot academic program as described in this section for students with intellectual and developmental disabilities. The pilot is for students entering the program in the 2017-2018 academic year. The program must be offered at a total of four state university or college campuses that have the ability to offer a robust program using existing facilities, including residential facilities. The campuses selected must, to the extent possible, be located in different geographic regions of the state.

(b) In designing the pilot program, the Board of Trustees must consult with PACER Center, Inc., the Minnesota Governor's Council on Developmental Disabilities, Arc Minnesota, and other interested stakeholder groups. The board must also consult with administrators of similar programs at other postsecondary institutions.

**Subd. 2. Program enrollment and admission.** The enrollment goal for each campus's pilot program must be at least ten incoming students per academic year. Students must be admitted based on an application process that includes an in-person interview; an independent assessment of an applicant's interest, motivation, and likelihood of success in the program; and any other eligibility requirements established by the board. Upon successful completion, a student must be awarded a certificate, diploma, or other appropriate academic credential.

**Subd. 3. Program curriculum and activities.** (a) The pilot program must provide an inclusive, two-year full-time residential college experience for students with intellectual and developmental disabilities. The required curriculum must include core courses that develop life skills, financial literacy, and the ability to live independently; rigorous academic work in a student's chosen field of study; and an internship, apprenticeship, or other skills-based experience to prepare for meaningful employment upon completion of the program.

(b) In addition to academic requirements, the program must offer participating students the opportunity to engage fully in campus life. Program activities must include but are not limited to (1) the establishment of on-campus mentoring and peer support communities and (2) opportunities for personal growth through leadership development and other community engagement activities.

(c) A participating campus may tailor its program curriculum and activities to highlight academic programs, student and community life experiences, and employment opportunities unique to that campus or the region of the state where the campus is located.

**Subd. 4. Progress reports to legislature.** The board must submit progress reports on the pilot program required by this section to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over higher education finance and policy and human services finance and policy as follows:

(1) no later than January 15, 2017, a report describing plans for implementation of the program and recruitment of applicants, including identification of anticipated program needs that cannot be filled using existing campus or system resources; and

(2) no later than January 15, 2019, a report describing program operations, including information on participation and expected completion rates, the feasibility of program expansion to other state university campuses, and detail on any unmet program needs.

**ARTICLE 8****MNSCU TRANSFER CURRICULUM****Section 1. [136F.306] MINNESOTA TRANSFER CURRICULUM; AGRICULTURAL SCIENCE EDUCATION.**

The Minnesota State Colleges and Universities must apply agricultural science education credits in calculating a student's completion of the Minnesota transfer curriculum's natural sciences requirement.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

**Sec. 2. MINNESOTA TRANSFER CURRICULUM; OCCUPATIONAL COURSES.**

The Board of Trustees of the Minnesota State Colleges and Universities must report by February 1, 2017, to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over higher education policy concerning the Minnesota transfer curriculum and the board's policy with respect to accepting courses with an occupational component to satisfy transfer curriculum requirements. Specifically, and without limitation, the board must report on its policy of accepting courses that contain more than a 50 percent occupational component and explain the rationale regarding that policy.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

**ARTICLE 9****PUBLIC POSTSECONDARY INSTITUTION EMPLOYEE PRIVACY POLICY****Section 1. PUBLIC POSTSECONDARY INSTITUTION; EMPLOYEE ELECTRONIC DEVICE PRIVACY POLICY.**

The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must report by June 15, 2016, to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education policy on their policies regarding the privacy of employee-owned cell phones, computers, and other similar electronic devices that are used, at least in part, by the employee to perform work duties. The reports must include, without limitation, the boards' policies regarding their right to inspect these devices.

**ARTICLE 10****STATE GRANT**

Section 1. Minnesota Statutes 2015 Supplement, section 136A.121, subdivision 7a, is amended to read:

Subd. 7a. **Surplus appropriation.** If the amount appropriated is determined by the office to be more than sufficient to fund projected grant demand in the second year of the biennium, the office may increase the living and miscellaneous expense allowance ~~or the tuition and fee maximums~~ in the second year of the biennium by up to an amount that retains sufficient appropriations to fund the projected grant demand. The adjustment may be made one or more times. In making the determination that there are more than sufficient funds, the office shall balance the need for

sufficient resources to meet the projected demand for grants with the goal of fully allocating the appropriation for state grants. An increase in the living and miscellaneous expense allowance under this subdivision does not carry forward into a subsequent biennium.

## ARTICLE 11

### STUDENT LOAN COUNSELING

Section 1. Laws 2015, chapter 69, article 3, section 24, subdivision 1, is amended to read:

Subdivision 1. **Pilot program created.** The commissioner of the Office of Higher Education shall make a grant to a nonprofit qualified debt counseling organization to provide individual student loan debt repayment counseling to borrowers who are Minnesota residents concerning loans obtained to attend a Minnesota postsecondary institution. ~~The counseling shall be provided to borrowers who are 30 to 60 days delinquent when they are referred to or otherwise identified by the organization as candidates for counseling.~~ The number of individuals receiving counseling may be limited to those capable of being served with available appropriations for that purpose. A goal of the counseling program is to provide two counseling sessions to at least 75 percent of borrowers receiving counseling.

The purpose of the counseling is to assist borrowers to:

- (1) understand their loan and repayment options;
- (2) manage loan repayment; and
- (3) develop a workable budget based on the borrower's full financial situation regarding income, expenses, and other debt.

**EFFECTIVE DATE.** This section is effective the day following final enactment and is retroactive to July 1, 2015."

Delete the title and insert:

"A bill for an act relating to higher education; regulating remediation and testing; regulating the teacher shortage loan forgiveness program; broadening child care grants; requiring information about federal loan forgiveness programs; requiring information about school acceptance of dual credits; regulating MnSCU credit transfer and curriculum policies; creating a pilot MnSCU program for developmentally disabled students; regulating state grants; amending Minnesota Statutes 2014, section 136A.101, subdivision 10; Minnesota Statutes 2015 Supplement, sections 120B.30, subdivision 1; 136A.121, subdivision 7a; 136A.125, subdivision 2; 136A.1791, subdivisions 4, 5, 6; 136A.87; 136F.302, subdivision 1; Laws 2015, chapter 69, article 3, sections 20, subdivision 15; 24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 136A; 136F."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 3244:** A bill for an act relating to transportation; establishing an advisory working group to observe and report on development of a passenger rail project between Rochester and the Twin Cities.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, delete "in order"

Page 2, line 2, delete "15" and insert "25" and delete "and"

Page 2, line 3, delete everything before "as"

Page 2, line 4, after "senators" insert ", one from the majority party and one from the minority party,"

Page 2, line 6, after "representatives" insert ", one from the majority party and one from the minority party,"

Page 2, delete line 8

Page 2, lines 11, 15, 17, 19, and 21, delete "one member who resides" and insert "two members who reside"

Page 2, lines 12, 16, 18, 20, and 22, after "Board" insert ", one of whom is employed in county government and one of whom is a public member"

Page 2, delete lines 13 and 14

Page 2, line 22, delete "and"

Page 2, after line 22, insert:

"(10) one person who resides in each of the cities of Cannon Falls, Inver Grove Heights, Pine Island, Rochester, and Zumbrota, appointed by the mayor of each city;

(11) one person who is an expert on rail transportation appointed by the governor;

(12) one person who represents an exclusive representative under Minnesota Statutes, chapter 179 or 179A, appointed by the governor;

(13) one person who is appointed by the high-speed rail developer who provides funding to the working group or who seeks a permit to develop high-speed rail along the high-speed rail line;"

Page 2, line 23, delete "(12)" and insert "(14)"

Page 2, after line 24, insert:

"(b) Members serve until the working group expires or until replaced as provided in paragraph (c).

(c) The removal of members and the filling of vacancies shall be as provided in Minnesota Statutes, section 15.059, subdivision 4."

Page 2, line 25, delete "(b)" and insert "(d)"

Page 2, after line 27, insert:

"Subd. 4. Notices. (a) The commissioner of transportation must notify the executive director of the University of Minnesota Center for Transportation Studies that a request to begin negotiating for use of right-of-way to construct a project has been received. The commissioner must provide this notice within 15 days of receiving the request.

(b) Within 15 days of receiving notice from the commissioner of transportation, the executive director of the Center for Transportation Studies must notify all appointing authorities of a deadline to make initial appointments. The notice from the executive director must set a deadline for initial appointments that is between 45 and 60 days from the date the executive director receives notice from the commissioner of transportation."

Page 2, line 28, after "First" insert "appointments; first" and delete "The" and insert "Appointing authorities must make initial appointments by the deadline set by the executive director of the Center for Transportation Studies. The executive director of the"

Page 2, line 30, delete everything before the period and insert "after the deadline for appointments"

Page 2, line 31, after "to the" insert "chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over transportation"

Page 2, line 32, delete "legislature"

Page 3, lines 8 and 22, delete "12" and insert "13"

Page 3, line 10, delete "must" and insert "may request and"

Page 3, line 11, delete "not" and delete "any"

Page 3, line 16, after the period, insert "The working group may meet at the Office of the Center for Transportation or at locations along the corridor."

Page 3, line 28, delete everything after "day" and insert "following final enactment."

Page 3, delete lines 29 and 30

Renumber the clauses and subdivisions in sequence

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 2989:** A bill for an act relating to energy; enhancing the energy assurance and emergency conservation plan; establishing a petroleum end user program; modifying energy auditor standards; modifying eligibility for various siting requirements; amending Minnesota Statutes 2014, sections 216C.16, subdivisions 1, 2; 216C.31; 216C.435, subdivisions 3a, 4, 5, 10, by adding a subdivision; 216C.436, subdivisions 1, 2; 216E.01, subdivision 5; 216E.021; 216E.03, subdivision 3; 216E.05, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 216C; 216E; repealing Minnesota Statutes 2014, section 216C.15.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 20, after the first "Plan" insert ", as defined under Minnesota Rules, part 7514.0100" and delete "State" and insert "Minnesota"

Page 3, line 29, after "Council" insert "established under section 9.011,"

Page 6, line 12, after the period, insert "The certification for each certified priority end user shall specify a certified amount of motor gasoline, middle distillates, and propane."

Page 7, line 2, delete "and"

Page 7, after line 2, insert:

"(5) if applicable, the name, address, and any other identifying information of the gas station or other facility where fuel is purchased;

(6) any other information the commissioner requests; and"

Page 7, line 3, delete "(5)" and insert "(7)"

Page 7, line 6, after "the" insert "commissioner's decision on that person's" and after "use" insert "under subdivision 6"

Page 7, line 7, delete "supply requirements" and insert "order to supply under subdivision 5"

Page 7, line 26, after "decision" insert "under subdivision 6" and after "order" insert "under subdivision 5"

Page 7, line 29, delete "any" and insert "a" and after "case" insert "under this subdivision"

Page 13, before line 1, insert:

"Sec. 18. **RULEMAKING AUTHORITY CONTINUED.**

Notwithstanding Minnesota Statutes, section 14.05, subdivision 1, rules adopted under the authority granted in Minnesota Statutes, section 216C.15, continue in effect and may be further amended or repealed pursuant to the authority granted by this section."

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 1372:** A bill for an act relating to state government; changing Legislative Coordinating Commission provisions; clarifying retirement plan coverage for certain part-time legislative employees; amending Minnesota Statutes 2014, sections 3.225, subdivisions 2, 3, 5; 3.303, subdivisions 3, 10; 352.01, subdivisions 2a, 2b; 352D.02, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2014, section 3.303, subdivision 3, is amended to read:

Subd. 3. **Chair.** The president of the senate and the speaker of the house shall alternate annually as chair of the commission alternates between the president of the senate and the speaker of the house of representatives at the start of the regular legislative session in each odd-numbered year."

Page 5, delete section 6

Page 7, delete section 7

Page 10, delete section 8

Page 12, delete section 9 and insert:

"Sec. 6. Minnesota Statutes 2015 Supplement, section 15.0145, subdivision 4, is amended to read:

Subd. 4. **Training; executive committee; meetings; support.** (a) A member appointed by the governor must attend orientation training within the first six months of service for each the member's initial term. The commissioner of administration must arrange for the training to include but not be limited to the legislative process, government data practices, open meeting law, Robert's Rules of Order, fiscal management, and human resources. The governor must remove a member who does not complete the training.

(b) Each council shall annually elect from among the members appointed by the governor a chair and other officers it deems necessary. These officers and one legislative member selected by the council shall serve as the executive committee of the council.

(c) Forty percent of voting members of a council constitutes a quorum. A quorum is required to conduct council business. A council member may not vote on any action if the member has a conflict of interest under section 10A.07.

(d) Each council shall receive administrative support from the commissioner of administration under section 16B.371. The council may contract in its own name but may not accept or receive a loan or incur indebtedness except as otherwise provided by law. Contracts must be approved by a majority of the members of the council and executed by the chair and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the powers and duties specified in this section.

(e) The attorney general shall provide legal services to the councils on behalf of the state on all matters relating to the councils, including matters relating to the state as the employer of the executive directors of the council, and other council staff.

Sec. 7. Minnesota Statutes 2015 Supplement, section 15.0145, subdivision 5, is amended to read:

Subd. 5. **Executive director; staff.** (a) The Legislative Coordinating Commission must appoint an executive director for each council. The executive director must be experienced in administrative activities and familiar with the challenges and needs of the ethnic council's larger community. The executive director serves in the unclassified service at the pleasure of the Legislative Coordinating Commission.

(b) The Legislative Coordinating Commission must establish a process for recruiting and selecting applicants for the executive director positions. This process must include consultation and collaboration with the applicable council.

(c) The executive director and applicable council members must work together in fulfilling council duties. The executive director must consult with the ~~commissioners~~ commissioner of administration ~~and management and budget~~ to ensure appropriate financial, purchasing, human resources, and other services for operation of the council.

(d) Once appointed, each council is responsible for supervising the work of its director. The council chair must report to the chair of the Legislative Coordinating Commission regarding the

performance of the executive director, including any recommendations regarding disciplinary actions. The executive director must appoint and supervise the work of other staff necessary to carry out the duties of the council. The executive director must consult with the council chair prior to taking the following disciplinary actions with council staff: written reprimand, suspension, demotion, or discharge. The executive director and other council staff are executive branch employees.

(e) The executive director must submit the council's biennial budget request to the commissioner of management and budget as provided under chapter 16A.

Sec. 8. Minnesota Statutes 2015 Supplement, section 15.0145, subdivision 8, is amended to read:

Subd. 8. **Reports.** A council must report on the measurable outcomes achieved in the council's current strategic plan to meet its statutory duties, along with the specific objectives and outcome measures proposed for the following year. The council must submit the report by January 15 each year to the chairs of the committees in the house of representatives and the senate with primary jurisdiction over state government operations. Each report must cover the calendar year of the year before the report is submitted. The specific objectives and outcome measures for the following current year must focus on three or four achievable objectives, action steps, and measurable outcomes for which the council will be held accountable. The strategic plan may include other items that support the statutory purposes of the council but should not distract from the primary statutory proposals presented. ~~The funding request biennial budget of each council, after approval by~~ must be submitted to the Legislative Coordinating Commission, must also be presented by February 1 in each odd-numbered year."

Amend the title accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was referred**

**S.F. No. 3323:** A bill for an act relating to local government; permitting city and town expenditures for city and town historical societies; amending Minnesota Statutes 2014, section 138.053.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 2758:** A bill for an act relating to game and fish; modifying provisions for taking wild animals; requiring a report; amending Minnesota Statutes 2014, sections 97A.201, subdivision 2, by adding a subdivision; 97A.301, subdivision 1; 97A.338; 97A.420, subdivision 1; 97A.421, subdivision 2a; 97A.451, subdivision 6; 97B.035, subdivision 1; 97B.731, subdivision 3; 97B.811, subdivision 4a; 97C.401, subdivision 2; Minnesota Statutes 2015 Supplement, section 97B.9251; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Torres Ray from the Committee on State and Local Government, to which was re-referred**

**S.F. No. 2757:** A bill for an act relating to game and fish; providing for northern pike management; requiring rulemaking; requiring a report; amending Minnesota Statutes 2014, section 97C.401, subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 3262:** A bill for an act relating to transportation; designating a segment of marked Trunk Highway 28 as Staff Sergeant Kevin Witte Memorial Highway; amending Minnesota Statutes 2015 Supplement, section 161.14, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 2936:** A bill for an act relating to natural resources; authorizing lifetime game and fish license information to be placed on a driver's license or Minnesota identification card; amending Minnesota Statutes 2014, sections 97A.405, subdivision 2; 171.07, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 7, insert:

"Sec. 3. **EFFECTIVE DATE.**

This act is effective January 1, 2018, or on the date the Department of Public Safety implements the Minnesota Licensing and Registration System (MNLARS), whichever occurs first."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 2542:** A bill for an act relating to transportation; allowing military personnel on active duty outside Minnesota to retake failed road test before termination of practice period; amending Minnesota Statutes 2014, section 171.13, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 2409:** A bill for an act relating to transportation; modifying various provisions regulating the establishment and use of bikeways; amending Minnesota Statutes 2014, sections 85.016; 160.02, subdivision 27, by adding subdivisions; 160.262, subdivisions 1, 3, 4; 160.266, subdivisions 2, 3, 4, 5, by adding subdivisions; 161.21, subdivision 1; repealing Minnesota Statutes 2014, sections 160.262, subdivision 2; 160.265, subdivisions 1, 2; 160.266, subdivision

1; Minnesota Rules, parts 8810.6000; 8810.6100; 8810.6300; 8810.6400; 8810.6500; 8810.6600; 8810.6700; 8810.6800; 8810.6900; 8810.7000; 8810.9910; 8810.9911; 8810.9912; 8810.9913.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 3136:** A bill for an act relating to traffic regulations; authorizing disability parking for individuals with dementia; amending Minnesota Statutes 2014, sections 168.021, subdivisions 1, 1a, 2a, 3, 5; 169.345, subdivisions 1, 2, 2a, 3, 3a.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 169.345, subdivision 2, is amended to read:

Subd. 2. **Definitions.** (a) For the purpose of section 168.021 and this section, the following terms have the meanings given them in this subdivision.

(b) "Health professional" means a licensed physician, licensed physician assistant, advanced practice registered nurse, or licensed chiropractor.

(c) "Long-term certificate" means a certificate issued for a period greater than 12 months but not greater than 71 months.

(d) "Organization certificate" means a certificate issued to an entity other than a natural person for a period of three years.

(e) "Permit" refers to a permit that is issued for a period of 30 days, in lieu of the certificate referred to in subdivision 3, while the application is being processed.

(f) "Physically disabled person" means a person who:

(1) because of disability cannot walk without significant risk of falling;

(2) because of disability cannot walk 200 feet without stopping to rest;

(3) because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;

(4) is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter;

(5) has an arterial oxygen tension (PaO<sub>2</sub>) of less than 60 mm/Hg on room air at rest;

(6) uses portable oxygen;

(7) has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association;

(8) has lost an arm or a leg and does not have or cannot use an artificial limb; or

(9) has a disability that would be aggravated by walking 200 feet under normal environmental conditions to an extent that would be life threatening; or

(10) has been diagnosed with a form of dementia that is progressive in nature with physical complications, or the condition either impacts activities of daily living or presents an unreasonable safety risk.

(g) "Short-term certificate" means a certificate issued for a period greater than six months but not greater than 12 months.

(h) "Six-year certificate" means a certificate issued for a period of six years.

(i) "Temporary certificate" means a certificate issued for a period not greater than six months."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 3211:** A bill for an act relating to transportation; requiring the commissioner of transportation to consult, develop, adopt, and publicize best practices to improve objectivity and transparency in project selection processes; requiring a report.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, delete "....." and insert "October 2017"

Page 1, line 18, after "(1)" insert "a description of each selection process and" and delete the second "each" and insert "any"

Page 1, line 23, delete "under consideration" and insert "selected under each selection process" and after "including" insert "identification of all the" and after "projects" insert "considered"

Page 2, line 5, after the first "were" insert "considered"

Page 2, line 6, delete "January 4" and insert "March 1"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 3352:** A bill for an act relating to transportation; amending requirements governing preparedness, response, and information regarding transportation of oil and other hazardous substances; establishing certain requirements for railroads; establishing data practices; providing for rulemaking; amending appropriations; making technical changes; amending Minnesota Statutes 2014, sections 13.6905, by adding a subdivision; 13.7411, by adding a subdivision; 115E.01, subdivision 11d; 115E.042; 219.015; 299A.55; proposing coding for new law in Minnesota Statutes, chapter 219.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 115E.042, is amended to read:

**115E.042 PREPAREDNESS AND RESPONSE FOR CERTAIN RAILROADS.**

Subdivision 1. **Application.** In addition to the requirements of section 115E.04, a person who owns or operates railroad car rolling stock transporting a unit train must comply with this section.

Subd. 2. **Training.** (a) Each railroad must offer training to each fire department, and each local organization for emergency management under section 12.25, having jurisdiction along the route of unit trains routes over which oil and other hazardous substances are transported. ~~Initial training under this subdivision must be offered to each fire department by June 30, 2016, and Refresher training must be offered to each fire department and local organization for emergency management at least once every three years thereafter~~ after initial training under this subdivision.

(b) The training must address the general hazards of oil and hazardous substances, techniques to assess hazards to the environment and to the safety of responders and the public, factors an incident commander must consider in determining whether to attempt to suppress a fire or to evacuate the public and emergency responders from an area, and other strategies for initial response by local emergency responders. The training must include suggested protocol or practices for local responders to safely accomplish these tasks.

Subd. 3. **Coordination.** ~~Beginning June 30, 2015,~~ Each railroad must communicate at least annually with each county or city emergency manager, safety representatives of railroad employees governed by the Railway Labor Act, and a senior fire department officer of each fire department having jurisdiction along the route of a unit train routes over which oil and other hazardous substances are transported, to:

(1) ensure coordination of emergency response activities between the railroad and local responders; and

(2) assist emergency managers identify and assess local threats, hazards, and risks in areas (i) having high population concentration, or (ii) in which key facilities are located.

Subd. 4. **Response capabilities; time limits.** (a) Following confirmation of a discharge, a railroad must deliver and deploy sufficient equipment and trained personnel to contain and recover discharged oil or hazardous substances and to protect the environment and public safety.

(b) Within one hour of confirmation of a discharge, a railroad must provide a qualified company employee to advise the incident commander. The employee may be made available by telephone, and must be authorized to deploy all necessary response resources of the railroad.

(c) Within three hours of confirmation of a discharge, a railroad must be capable of delivering monitoring equipment and a trained operator to assist in protection of responder and public safety. A plan to ensure delivery of monitoring equipment and an operator to a discharge site must be provided each year to the commissioner of public safety.

(d) Within three hours of confirmation of a discharge, a railroad must provide qualified personnel at a discharge site to assess the discharge and to advise the incident commander.

(e) A railroad must be capable of deploying containment boom from land across sewer outfalls, creeks, ditches, and other places where oil or hazardous substances may drain, in order to contain

leaked material before it reaches those resources. The arrangement to provide containment boom and staff may be made by:

- (1) training and caching equipment with local jurisdictions;
- (2) training and caching equipment with a fire mutual-aid group;
- (3) means of an industry cooperative or mutual-aid group;
- (4) deployment of a contractor;
- (5) deployment of a response organization under state contract; or
- (6) other dependable means acceptable to the Pollution Control Agency.

(f) Each arrangement under paragraph (e) must be confirmed each year. Each arrangement must be tested by drill at least once every five years.

(g) Within eight hours of confirmation of a discharge, a railroad must be capable of delivering and deploying containment boom, boats, oil recovery equipment, trained staff, and all other materials needed to provide:

(1) on-site containment and recovery of a volume of oil equal to ten percent of the calculated worst case discharge at any location along the route; and

(2) protection of listed sensitive areas and potable water intakes within one mile of a discharge site and within eight hours of water travel time downstream in any river or stream that the right-of-way intersects.

(h) Within 60 hours of confirmation of a discharge, a railroad must be capable of delivering and deploying additional containment boom, boats, oil recovery equipment, trained staff, and all other materials needed to provide containment and recovery of a worst case discharge and to protect listed sensitive areas and potable water intakes at any location along the route.

Subd. 5. **Railroad Environmental response drills.** Each railroad must conduct ~~at least one~~ oil containment, recovery, and sensitive area protection ~~drill~~ exercises as follows: (1) at least one tabletop exercise every year; and (2) at least one full-scale exercise every three years, at a location and time and in the manner chosen by the Pollution Control Agency, and attended by safety representatives of railroad employees governed by the Railway Labor Act.

Subd. 5a. **Prevention and response plans; capacity information.** In addition to other requirements, a prevention and response plan under section 115E.04 must include a description of the capacity and methods a railroad intends to utilize in order to meet the requirements under subdivision 4.

Subd. 6. **Prevention and response plans; submission requirements.** (a) ~~By June 30, 2015,~~ A railroad shall submit the prevention and response plan required under section 115E.04, as necessary to comply with the requirements of this section, to the commissioner of the Pollution Control Agency on a form designated by the commissioner.

(b) ~~By June 30 of~~ In every third year following a plan submission under this subdivision, or sooner as provided under section 115E.04, subdivision 2, a railroad must update and resubmit the prevention and response plan to the commissioner.

Subd. 7. **Financial responsibility.** (a) Each railroad must file with the commissioner of transportation a financial responsibility plan that complies with the requirements of this subdivision, in a form and manner determined by the commissioner.

(b) The financial responsibility plan must include (1) evidence demonstrating that the railroad has the financial ability to pay for the environmental costs that may arise while the financial responsibility plan is in effect, and (2) business information required by the commissioner.

(c) Evidence of the railroad's financial ability to pay, in the form, at the amount, and with such contractual terms, conditions, or defenses required by the commissioner can be demonstrated by:

- (1) insurance meeting the requirements of chapter 60A;
- (2) self-insurance;
- (3) surety bond; or
- (4) irrevocable letter of credit, as defined in section 336.5-102.

(d) The commissioner must set the amount of financial ability to pay in consultation with the commissioner of the Pollution Control Agency: (1) using a calculation based on the volume of oil or other hazardous substances to be transported within or through the state; and (2) at a level no less than the expected environmental costs from a worst-case discharge.

(e) A financial responsibility plan must be continuous until canceled. The commissioner must receive 90 days' written notice prior to cancellation of any evidence of the railroad's ability to pay. A railroad shall notify the commissioner promptly following a material change in ability to pay.

Sec. 2. Minnesota Statutes 2014, section 219.015, is amended to read:

**219.015 STATE RAIL SAFETY INSPECTOR INSPECTION PROGRAM.**

Subdivision 1. **Positions established; duties.** (a) ~~The commissioner of transportation shall establish three state rail safety inspector positions in the Office of Freight and Commercial Vehicle Operations of the Minnesota Department of Transportation. On or after July 1, 2015, and the commissioner may establish a fourth up to nine state rail safety inspector position positions following consultation with railroad companies. The commissioner shall apply to and enter into agreements with the Federal Railroad Administration (FRA) of the United States Department of Transportation to participate in the federal State Rail Safety Participation Program for training and certification of an inspector under authority of United States Code, title 49, sections 20103, 20105, 20106, and 20113, and Code of Federal Regulations, title 49, part 212.~~

(b) A state rail safety inspector ~~shall~~ may inspect mainline track, secondary track, and yard and industry track; inspect railroad right-of-way, including adjacent or intersecting drainage, culverts, bridges, overhead structures, and traffic and other public crossings; inspect yards and physical plants; ~~inspect train equipment;~~ review and enforce safety requirements; review maintenance and repair records; and review railroad security measures.

(c) A state rail safety inspector may perform, but is not limited to, the duties described in the federal State Rail Safety Participation Program. An inspector may train, be certified, and participate in any of the federal State Rail Safety Participation Program disciplines, including: track, signal and train control, motive power and equipment, operating practices compliance, hazardous materials, and highway-rail grade crossings.

(d) To the extent delegated by the Federal Railroad Administration and authorized by the commissioner, an inspector may issue citations for violations of this chapter, or to ensure railroad employee and public safety and welfare.

Subd. 2. **Railroad company assessment; account; appropriation.** (a) As provided in this subdivision, the commissioner shall annually assess railroad companies that are (1) defined as common carriers under section 218.011; (2) classified by federal law or regulation as Class I Railroads, Class I Rail Carriers, Class II Railroads, or Class II Carriers; and (3) operating in this state.

(b) ~~The assessment must be by a division of~~ calculated to allocate state rail safety inspector inspection program costs in equal proportion between proportionally among carriers based on route miles operated in Minnesota, assessed in equal amounts for 365 days of the calendar year at the time of assessment. The commissioner shall assess include in the assessment calculation all program or additional position start-up or re-establishment costs; all related costs of initiating the state rail safety inspector inspection program, including but not limited to inspection, administration, supervision, travel, equipment, and training; and costs of ongoing state rail inspector duties.

(c) ~~The assessments collected under this subdivision must be deposited in a special account in the special revenue fund, to be known as the state rail safety inspection account, which is established in the special revenue fund. The account consists of funds as provided by this subdivision, and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is appropriated to the commissioner for the establishment and ongoing responsibilities of the state rail safety inspector inspection program.~~

Subd. 3. **Work site safety coaching program.** The commissioner may exempt a common carrier not federally classified as Class I from violations for a period of up to two years if the common carrier applies for participation in a work site safety coaching program, such as the "MNSharp" program administered by the Minnesota Department of Labor and Industry, and the commissioner determines such participation to be preferred enforcement for safety or security violations.

Subd. 4. **Appeal.** Any person aggrieved by an assessment levied under this section may appeal within 90 days any assessment, violation, or administrative penalty to the Office of Administrative Hearings, with further appeal and review by the district court.

Subd. 5. **Inspection program information.** (a) The commissioner must maintain on the department's public Web site information on state rail safety inspection program activity under this section.

(b) At a minimum, the Web site information must include:

(1) summaries of defects and violations by (i) railroad company, (ii) shipper company, (iii) State Rail Safety Participation Program discipline, (iv) type of defect or violation, (v) level of severity, and (vi) geographic location such as city or region;

(2) to the extent permitted by federal law, inspection reports or basic details regarding any identified critical or major defects, or critical or major violations;

(3) a summary of any enforcement activity;

(4) a review of corrective actions taken; and

(5) a review of revenue sources for and summary of expenditures from the state rail safety inspection account.

(c) In addition, the Web site information must include railroad bridge inspection reports provided to the commissioner under section 219.925, subdivision 5.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

**Sec. 3. [219.925] INCIDENT EMERGENCY RESPONSE; PREPAREDNESS AND INFORMATION.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Emergency manager" means the director of a local organization for emergency management under section 12.25.

(c) "Hazardous substance" has the meaning given in Code of Federal Regulations, title 49, section 171.8.

(d) "Oil" has the meaning given in section 115E.01, subdivision 8.

(e) "Rail carrier" means a railroad company that is (1) defined as a common carrier under section 218.011; (2) classified by federal law or regulation as Class I Railroad, Class I Rail Carrier, Class II Railroad, Class II Carrier, Class III Railroad, or Class III Carrier; and (3) operating in this state.

Subd. 2. **Emergency response capability notification.** (a) A rail carrier must provide an emergency response capability notification to each emergency manager and fire chief having jurisdiction along the routes over which oil and other hazardous substances are transported and to the commissioner of public safety. At a minimum, the notification must include geographic inventories of:

(1) life-safety emergency response equipment and related major supplies, including details on fire-suppression equipment, equipment capacity, and supply amounts; and

(2) response staff, including information on number and expertise areas of personnel responding from each geographic location.

(b) Each inventory under paragraph (a), clauses (1) and (2), must specify storage or starting locations of equipment, supplies, and personnel, and must provide estimates of travel times to a sample of reasonable locations along the routes over which oil and other hazardous substances are transported.

(c) A rail carrier must promptly provide an updated notification following any material change in the information under this subdivision.

Subd. 3. **Route planning risk assessment.** A rail carrier must provide a copy of the route planning and analysis, including risk assessment information, required under Code of Federal Regulations, title 49, section 172.820, or successor requirements, to each emergency manager and fire chief having jurisdiction along the routes over which oil and other hazardous substances are transported and to the commissioner of public safety.

Subd. 4. **Hazardous materials response plans.** A rail carrier must provide a copy of the carrier's hazardous materials emergency response plan to each emergency manager and fire chief having

jurisdiction along the routes over which oil and other hazardous substances are transported for integration and coordination with local emergency operations planning.

Subd. 5. **Bridge inspection reports.** A rail carrier must provide a copy of bridge inspection reports on railroad bridges along the routes over which oil and other hazardous substances are transported to:

(1) each emergency manager, for those bridges located within the emergency manager's jurisdiction;

(2) each city or county engineer, for those bridges over a roadway under the engineer's jurisdiction; and

(3) the commissioner of transportation, for all applicable bridges.

Subd. 6. **Software program; comprehensive oil and other hazardous materials transportation tracking.** (a) All rail carriers subject to this section shall collectively maintain a single software program that must be accessible both by a downloadable application and by means of the Internet. The program must provide comprehensive, accurate, and real-time information regarding transportation of oil and other hazardous substances.

(b) At a minimum, the software program must:

(1) contain data that is updated on a real-time basis, including, as practicable, updates due to rail car switching, assembly and disassembly, and storage operations;

(2) contain information on all tanker railcars carrying oil and other hazardous substances in this state, which must include:

(i) identification of the specific substance in each railcar; and

(ii) reasonable estimates of the volume of the substance in each railcar;

(3) be available to emergency first responders having jurisdiction along the routes over which oil and other hazardous substances are transported, and to employees in the Department of Public Safety designated by the commissioner of public safety; and

(4) provide a user interface that is accessible by authorized individuals through a Web site.

(c) The requirement under paragraph (b), clause (3), does not prevent access through software applications on wireless communications devices if it is made available for each operating system commonly in use.

Subd. 7. **Data-sharing requirements.** (a) A rail carrier must provide all data required under subdivisions 2 to 6 in its entirety, without abridgment.

(b) A railroad is prohibited from, as a condition of providing any data required under this section, requiring an emergency manager or fire chief to enter into an agreement that restricts the ability of the emergency manager or fire chief to share the data with:

(1) local emergency responders in the same jurisdiction; or

(2) other emergency managers or fire chiefs, if information sharing is for emergency life-safety response planning and coordination purposes.

Subd. 8. **Transported substances community notice.** (a) As provided in this subdivision, each rail carrier must provide a community notice concerning all oil and other hazardous substance transportation within or through the state. The notice requirement under this subdivision does not apply to transportation of goods that are not oil or other hazardous substances. All rail carriers subject to this section must collectively maintain the community notices on a public Web site.

(b) A notice under this subdivision must include:

- (1) the specific routes over which the oil or other hazardous substance is transported;
- (2) the transportation schedule, including the time, frequency, and volume of oil or other hazardous substance transported on a daily or other reasonable basis as authorized by the commissioner;
- (3) the number of tanker railcars transported;
- (4) a description of the material transported, including, as applicable, the gravity as measured by industry standards and the vapor pressure;
- (5) all applicable emergency response information required under Code of Federal Regulations, title 49, part 172, subpart G, or successor requirements; and
- (6) contact information, including name, title, telephone number, and address, of at least one qualified company employee who is responsible for serving as a point of contact for discharge response.

(c) A railroad must provide a community notice prior to transporting oil and other hazardous substances, and must provide an updated notice prior to any material change in the information under paragraph (b).

**EFFECTIVE DATE.** This section is effective July 1, 2016, except that subdivision 6 is effective July 1, 2017.

Sec. 4. Minnesota Statutes 2014, section 299A.55, is amended to read:

**299A.55 RAILROAD AND PIPELINE SAFETY INCIDENT PREPAREDNESS; OIL AND OTHER HAZARDOUS MATERIALS SUBSTANCES.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Applicable rail carrier" means a railroad company that is subject to an assessment under section 219.015, subdivision 2.

(c) "Hazardous substance" has the meaning given in ~~section 115B.02, subdivision 8~~ Code of Federal Regulations, title 49, section 171.8.

(d) "Oil" has the meaning given in section 115E.01, subdivision 8.

(e) "Pipeline company" means any individual, partnership, association, or public or private corporation who owns and operates pipeline facilities and is required to show specific preparedness under section 115E.03, subdivision 2.

Subd. 2. **Railroad and pipeline safety incident account.** (a) A railroad and pipeline safety incident account is created in the special revenue fund. The account consists of funds collected under subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

(b) ~~\$104,000~~ \$250,000 is annually appropriated from the railroad and pipeline safety incident account to the commissioner of the Pollution Control Agency for environmental protection activities related to railroad discharge preparedness under chapter 115E.

(c) Following the appropriation in paragraph (b), the remaining money in the account is annually appropriated to the commissioner of public safety for the purposes specified in subdivision 3.

Subd. 3. **Allocation of funds.** (a) Subject to funding appropriated for this subdivision, the commissioner shall provide funds for training and response preparedness related to (1) derailments, discharge incidents, or spills involving trains carrying oil or other hazardous substances, and (2) pipeline discharge incidents or spills involving oil or other hazardous substances.

(b) The commissioner shall allocate available funds as follows:

(1) \$100,000 annually for emergency response teams; and

(2) the remaining amount to the Board of Firefighter Training and Education under section 299N.02 and the Division of Homeland Security and Emergency Management.

(c) Prior to making allocations under paragraph (b), the commissioner shall consult with the Fire Service Advisory Committee under section 299F.012, subdivision 2.

(d) The commissioner and the entities identified in paragraph (b), clause (2), shall prioritize uses of funds based on:

(1) firefighter training needs;

(2) community risk from discharge incidents or spills;

(3) geographic balance; and

(4) risks to the general public; and

(5) recommendations of the Fire Service Advisory Committee.

(e) The following are permissible uses of funds provided under this subdivision:

(1) training costs, which may include, but are not limited to, training curriculum, trainers, trainee overtime salary, other personnel overtime salary, and tuition;

(2) costs of gear and equipment related to hazardous materials readiness, response, and management, which may include, but are not limited to, original purchase, maintenance, and replacement;

(3) supplies related to the uses under clauses (1) and (2); and

(4) emergency preparedness planning and coordination;

(5) life-safety emergency response exercises, including coordinated or comprehensive exercises in conjunction with the requirements under section 115E.042, subdivision 5; and

(6) public education and outreach, including but not limited to: (i) informing and engaging the public regarding hazards of derailments and discharge incidents; (ii) assisting in development of evacuation readiness; (iii) undertaking public information campaigns; and (iv) providing accurate information to the media on likelihood and consequences of derailments and discharge incidents.

(f) Notwithstanding paragraph (b), clause (2), from funds in the railroad and pipeline safety incident account provided for the purposes under this subdivision, the commissioner may retain a balance in the account for budgeting in subsequent fiscal years.

Subd. 4. **Assessments.** (a) The commissioner of public safety shall annually assess \$2,500,000 to railroad and pipeline companies based on the formula specified in paragraph (b). The commissioner shall deposit funds collected under this subdivision in the railroad and pipeline safety incident account under subdivision 2.

(b) The assessment for each railroad is 50 percent of the total annual assessment amount, divided in equal proportion between applicable rail carriers based on route miles operated in Minnesota. The assessment for each pipeline company is 50 percent of the total annual assessment amount, divided in equal proportion between companies based on the yearly aggregate gallons of oil and hazardous substance transported by pipeline in Minnesota.

(c) The assessments under this subdivision expire July 1, 2017.

Sec. 5. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall recodify Minnesota Statutes, section 115E.042, subdivision 2, as Minnesota Statutes, section 219.925, subdivision 9, and Minnesota Statutes, section 115E.042, subdivision 3, as Minnesota Statutes, section 219.925, subdivision 10. The revisor shall correct any cross-references made necessary by this recodification.

Sec. 6. **EFFECTIVE DATE.**

Unless specified otherwise, this act is effective July 1, 2016."

Amend the title as follows:

Page 1, line 4, delete "establishing data"

Page 1, line 5, delete "practices; providing for rulemaking;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was referred**

**S.F. No. 1111:** A bill for an act relating to transportation; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers; amending Minnesota Statutes 2014, section 169.686, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, reinstate the stricken language and delete the new language

Page 1, line 18, after the period, insert "This paragraph does not apply to (1) a school bus, including a type III vehicle; and (2) a Head Start bus, including a type III Head Start vehicle."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation and Public Safety, to which was re-referred**

**S.F. No. 2818:** A bill for an act relating to courts; permitting the Department of Public Safety to share data with the courts; amending Minnesota Statutes 2015 Supplement, section 13.69, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was re-referred**

**S.F. No. 2525:** A bill for an act relating to environment; providing for labeling of certain nonwoven disposable products; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 18, delete everything after "of" and insert "\$100 for each pre-packaged salable unit offered for sale up to a maximum of \$5,000 and may be enjoined from those violations."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 2862:** A bill for an act relating to public safety; increasing penalties for attempting to hire a minor for prostitution; amending Minnesota Statutes 2015 Supplement, section 609.324, subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 1857:** A bill for an act relating to claims against the state; changing and updating certain claims provisions; amending Minnesota Statutes 2014, sections 3.736, subdivision 3; 3.738; 3.739, subdivision 2; 3.749.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 3.736, subdivision 3, is amended to read:

Subd. 3. **Exclusions.** Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:

(a) a loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or rule;

(b) a loss caused by the performance or failure to perform a discretionary duty, whether or not the discretion is abused;

(c) a loss in connection with the assessment and collection of taxes;

(d) a loss caused by snow or ice conditions on a highway or public sidewalk that does not abut a publicly owned building or a publicly owned parking lot, except when the condition is affirmatively caused by the negligent acts of a state employee;

(e) a loss caused by wild animals in their natural state, except as provided in section 3.7371;

(f) a loss other than injury to or loss of property or personal injury or death;

(g) a loss caused by the condition of unimproved real property owned by the state, which means land that the state has not improved, state land that contains idled or abandoned mine pits or shafts, and appurtenances, fixtures, and attachments to land that the state has neither affixed nor improved;

(h) a loss involving or arising out of the use or operation of a recreational motor vehicle, as defined in section 84.90, subdivision 1, within the right-of-way of a trunk highway, as defined in section 160.02, except that the state is liable for conduct that would entitle a trespasser to damages against a private person;

(i) a loss incurred by a user arising from the construction, operation, or maintenance of the outdoor recreation system, as defined in section 86A.04, or for a loss arising from the construction, operation, maintenance, or administration of grants-in-aid trails as defined in section 85.018, or for a loss arising from the construction, operation, or maintenance of a water access site created by the Iron Range Resources and Rehabilitation Board, except that the state is liable for conduct that would entitle a trespasser to damages against a private person. For the purposes of this clause, a water access site, as defined in section 86A.04 or created by the Iron Range Resources and Rehabilitation Board, that provides access to an idled, water filled mine pit, also includes the entire water filled area of the pit and, further, includes losses caused by the caving or slumping of the mine pit walls;

(j) a loss of benefits or compensation due under a program of public assistance or public welfare, except if state compensation for loss is expressly required by federal law in order for the state to receive federal grants-in-aid;

(k) a loss based on the failure of a person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents;

(l) a loss based on the usual care and treatment, or lack of care and treatment, of a person at a state hospital or state corrections facility where reasonable use of available appropriations has been made to provide care;

(m) loss, damage, or destruction of property of a patient or inmate of a state institution except as provided under section 3.7381;

(n) a loss for which recovery is prohibited by section 169A.48, subdivision 2;

(o) a loss caused by an aeration, bubbler, water circulation, or similar system used to increase dissolved oxygen or maintain open water on the ice of public waters, that is operated under a permit issued by the commissioner of natural resources;

(p) a loss incurred by a visitor to the Minnesota Zoological Garden, except that the state is liable for conduct that would entitle a trespasser to damages against a private person;

(q) a loss arising out of a person's use of a logging road on public land that is maintained exclusively to provide access to timber on that land by harvesters of the timber, and is not signed or otherwise held out to the public as a public highway; and

(r) a loss incurred by a user of property owned, leased, or otherwise controlled by the Minnesota National Guard or the Department of Military Affairs, except that the state is liable for conduct that would entitle a trespasser to damages against a private person.

The state will not pay punitive damages.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

**Sec. 2. [3.7381] LOSS, DAMAGE, OR DESTRUCTION OF PROPERTY; STATE INSTITUTIONS; CORRECTIONAL FACILITIES.**

(a) The commissioners of human services, veterans affairs, or corrections, as appropriate, shall determine, adjust, and settle, at any time, claims and demands of \$7,000 or less arising from negligent loss, damage, or destruction of property of a patient of a state institution under the control of the commissioner of human services or the commissioner of veterans affairs or an inmate of a state correctional facility.

(b) A claim of more than \$7,000, or a claim that was not paid by the appropriate department may be presented to, heard, and determined by the appropriate committees of the senate and the house of representatives and, if approved, shall be paid pursuant to legislative claims procedure.

(c) The procedure established by this section is exclusive of all other legal, equitable, and statutory remedies.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 3. Minnesota Statutes 2014, section 3.739, subdivision 2, is amended to read:

Subd. 2. **Evaluation and payment of claims.** Claims of ~~\$500~~ \$7,000 or less subject to this section shall be investigated by the state or local agency responsible for supervising the work to determine if the claim is valid and if the loss is covered by the claimant's insurance. The investigating agency shall submit all appropriate claims to the Department of Corrections. Subject to the limitations contained in subdivision 2a, the department shall pay the portion of an approved claim that is not covered by the claimant's insurance. This payment shall be made within a reasonable time. On or before the first day of each legislative session, the department shall submit to the appropriate committees of the senate and the house of representatives a list of the claims paid by it during the preceding calendar year and shall be reimbursed by legislative appropriation for the claims paid. For the purposes of this paragraph, in the case of a juvenile claimant the term "claimant's insurance" includes the insurance of the juvenile's parents if the juvenile is covered by the insurance.

A claim in excess of ~~\$500~~ \$7,000, and a claim that was not paid by the department may be presented to, heard, and determined by the appropriate committees of the senate and the house of representatives and, if approved, shall be paid pursuant to legislative claims procedure.

No juvenile claimant receiving payment under this section may be identified by name either in the list of claimants submitted by the department or in the legislative appropriation.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 4. Minnesota Statutes 2014, section 3.749, is amended to read:

**3.749 LEGISLATIVE CLAIMS; FILING FEE.**

A person filing a claim with the joint senate-house of representatives Subcommittee on Claims must pay a filing fee of \$5 \$8. The money must be deposited by the clerk of the subcommittee in the state treasury and credited to the general fund. A claimant who is successful in obtaining an award from the subcommittee shall be reimbursed for the fee paid.

**EFFECTIVE DATE.** This section is effective July 1, 2016."

Delete the title and insert:

"A bill for an act relating to claims; providing for claims for loss, damage, or destruction of property of patients or inmates of a state institution; establishing a claim limit of \$7,000 for settlement by the commissioners of human services, veterans affairs, or corrections for property claims made by patients or inmates and medical claims made by conditionally released offenders; increasing claims filing fee; amending Minnesota Statutes 2014, sections 3.736, subdivision 3; 3.739, subdivision 2; 3.749; proposing coding for new law in Minnesota Statutes, chapter 3."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was re-referred**

**S.F. No. 2785:** A bill for an act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; amending Minnesota Statutes 2014, section 169.444, subdivisions 2, 5, 6, 7, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete sections 4 and 5

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was referred**

**S.F. No. 2090:** A resolution expressing concern over persistent and credible reports of systematic, state-sanctioned, forced organ harvesting from nonconsenting prisoners of conscience, primarily from Falun Gong practitioners imprisoned for their spiritual beliefs, and members of other religious and ethnic minority groups in the People's Republic of China.

Reports the same back with the recommendation that the resolution do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

**Senator Latz from the Committee on Judiciary, to which was re-referred**

**S.F. No. 2835:** A bill for an act relating to pari-mutuel horse racing; authorizing advance deposit wagering; providing for horse-racing revenue; appropriating money; amending Minnesota Statutes 2014, sections 240.08, subdivision 1; 240.13, subdivision 4; 240.15, subdivision 2; 240.25, subdivision 1; Minnesota Statutes 2015 Supplement, sections 240.01, by adding subdivisions; 240.08, subdivision 2; 240.10; 240.15, subdivisions 1, 6; 240.22; proposing coding for new law in Minnesota Statutes, chapter 240.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 2798:** A bill for an act relating to human services; creating a permanent child support task force; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 518A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, delete "PERMANENT"

Page 1, line 7, delete "Permanent"

Page 1, line 22, delete "or one" and insert "family court referee," and after the first "judge" insert a comma

Page 1, line 23, after "matters" insert ", appointed by the chief justice"

Page 2, line 7, delete "Permanent"

Page 2, delete line 8 and insert:

"(c) Members of the task force shall be compensated as provided in section 15.059, subdivision 3."

Page 3, line 5, delete "Beginning" and insert "By"

Page 3, line 6, after the comma, insert "if the task force is extended by the legislature,"

Page 3, after line 10, insert:

"Subd. 8. **Task force.** The task force expires June 30, 2020, unless extended by the legislature."

Amend the title as follows:

Page 1, line 2, delete "permanent"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 2529:** A bill for an act relating to health; creating an exemption in the definition of recreational camping area; amending Minnesota Statutes 2014, section 327.14, subdivision 8.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 2518:** A bill for an act relating to human services; modifying county-based purchasing plan contract negotiations; amending Minnesota Statutes 2014, sections 256B.69, subdivisions 3a, 33, 35; 256B.692, subdivisions 5, 6, 7; 256B.694.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 256B.69, subdivision 35, is amended to read:

Subd. 35. **Statewide procurement.** (a) For calendar year 2015, the commissioner may extend a demonstration provider's contract under this section for a sixth year after the most recent procurement. For calendar year 2015, section 16B.98, subdivision 5, paragraph (b), and section 16C.05, subdivision 2, paragraph (b), shall not apply to contracts under this section.

(b) For calendar year 2016 contracts under this section, the commissioner shall procure through a statewide procurement, which includes all 87 counties, demonstration providers, and participating entities as defined in section 256L.01, subdivision 7. The commissioner shall publish a request for proposals by January 5, 2015. As part of the procurement process, the commissioner shall:

(1) seek each individual county's input;

(2) organize counties into regional groups, and consider single counties for the largest and most diverse counties; and

(3) seek regional and county input regarding the respondent's ability to fully and adequately deliver required health care services, offer an adequate provider network, provide care coordination with county services, and serve special populations, including enrollees with language and cultural needs.

(c) Any statewide procurement process occurring after calendar year 2016, shall not include counties participating in a county-based purchasing plan. Procurement for these counties shall be governed by section 256B.692, subdivision 5a.

Sec. 2. Minnesota Statutes 2014, section 256B.692, subdivision 5, is amended to read:

Subd. 5. **County proposals.** (a) A county board that wishes to purchase or provide health care under this section must submit a preliminary proposal that substantially demonstrates the county's ability to meet all the requirements of this section in response to criteria for proposals issued by the department. Counties submitting preliminary proposals must establish a local planning process that involves input from medical assistance recipients, recipient advocates, providers and representatives of local school districts, labor, and tribal government to advise on the development of a final proposal and its implementation.

(b) The county board must submit a final proposal that demonstrates the ability to meet all the requirements of this section.

(c) For a county in which the prepaid medical assistance program is in existence, the county board must submit a preliminary proposal at least 15 months prior to termination of health plan contracts in that county and a final proposal six months prior to the health plan contract termination date in order to begin enrollment after the termination. Nothing in this section shall impede or delay implementation or continuation of the prepaid medical assistance program in counties for which the board does not submit a proposal, or submits a proposal that is not in compliance with this section.

(d) Once a county or group of counties has elected to implement county-based purchasing and continues to elect, through a procurement process, to purchase or provide health care services as provided in this section, the commissioner shall not terminate or fail to renew the county-based purchasing plan in that county or group of counties, except as permitted in subdivision 6, paragraph (b).

Sec. 3. Minnesota Statutes 2014, section 256B.692, is amended by adding a subdivision to read:

Subd. 5a. **Procurement.** (a) Procurement for a county or group of counties that has implemented a county-based purchasing plan shall occur every five years or earlier upon the request of the county or group of counties.

(b) The county or group of counties shall be defined as a distinct geographic region for the purposes of defining the procurement's service areas. The technical specifications shall be specific to the service area and place a priority on initiatives within the region.

(c) Requests for proposal under this procurement shall be consistent with the requirements of section 256B.69, but shall also consider the unique nature of county-based purchasing plans and evaluate the plans on provider network access, coordination, and integration with the counties for the provision of health care with other local community-based services. The existence of programs or services already developed and in place in the counties shall be considered.

(d) Requests for proposal shall require responders to submit a price bid as part of the procurement, but the price bid shall not be considered as part of the evaluation criteria. The commissioner may consider a request from the county or group of counties to include price in the evaluation criteria.

(e) Each county or group of counties that has elected to participate in a county-based purchasing plan under the authority of this section shall have the authority, after reviewing all proposals, to continue to provide health care services directly through a county-based purchasing plan.

(f) In each county or group of counties that elects to purchase or provide health care services under this section, the county-based purchasing plan shall be the single plan providing the services. If plan choice is required by federal regulation, the number of plans shall be limited to two plans in the county with the county-based purchasing plan being the default plan when assignments are made due to enrollees not making a plan choice at the time of enrollment.

(g) The requirements under this subdivision do not apply to procurement for the MinnesotaCare program as defined in sections 256L.12 and 256L.121. The commissioner shall coordinate the procurement of MinnesotaCare to the extent practicable with medical assistance in accordance with this subdivision.

Sec. 4. Minnesota Statutes 2014, section 256B.692, subdivision 6, is amended to read:

Subd. 6. **Commissioner's authority.** (a) The commissioner may:

(f) reject any preliminary or final proposal that:

(a) (1) substantially fails to meet the requirements of this section, or

~~(b) that~~ (2) the commissioner determines would substantially impair the state's ability to purchase health care services in other areas of the state, or

~~(c)~~ (3) would substantially impair an enrollee's choice of care systems when reasonable choice is possible, or

~~(d)~~ (4) would substantially impair the implementation and operation of the Minnesota senior health options demonstration project authorized under section 256B.69, subdivision 23; and

~~(2) assume operation of a county's purchasing of health care for enrollees in medical assistance in the event that the contract with the county is terminated.~~

(b) If a county or group of counties is providing health care through a county-based purchasing plan and the county, group of counties, or the plan substantially fails to comply with the applicable requirements of this section or section 256B.69, or the county or group of counties elects to cease providing health care through a county-based purchasing plan, the commissioner may terminate the contract with the county or group of counties and shall assume the operation of purchasing health care for enrollees covered under the county-based purchasing plan upon the termination of the contract subject to subdivision 7.

Sec. 5. Minnesota Statutes 2014, section 256B.692, subdivision 7, is amended to read:

Subd. 7. **Dispute resolution.** In the event the commissioner rejects a proposal under subdivision 6, paragraph (a), or the commissioner intends to terminate the contract with the county under subdivision 6, paragraph (b), the county board or a single entity representing a group of county boards, may request the recommendation of a three-person mediation panel. The commissioner shall resolve all disputes after taking into account the recommendations of the mediation panel. The panel shall be composed of one designee of the ~~president of the~~ Association of Minnesota Counties, in consultation with the requesting county board or the single entity representing a group of county boards, one designee of the commissioner of human services, and one person selected jointly by the designee of the commissioner of human services and the designee of the Association of Minnesota Counties. Within a reasonable period of time before the hearing, the panelists and parties to the mediation, must be provided all documents and information relevant to the mediation. The parties to the mediation must be given 30 days' notice of a hearing before the mediation panel.

Sec. 6. Minnesota Statutes 2014, section 256B.694, is amended to read:

**256B.694 SOLE-SOURCE OR SINGLE-PLAN MANAGED CARE CONTRACT.**

The commissioner shall consider, and may approve, contracting on a single-health plan basis with ~~county-based purchasing plans, or with other qualified~~ health plans that have coordination arrangements with counties, to serve persons enrolled in state public health care programs, in order to promote better coordination or integration of health care services, social services and other community-based services, provided that all requirements applicable to health plan purchasing, including those in ~~sections section~~ section 256B.69 and 256B.692, are satisfied.

Sec. 7. **FEDERAL APPROVAL.**

The commissioner of human services shall seek all federal waiver authority necessary to implement sections 1 to 6.

**Sec. 8. EFFECTIVE DATE.**

Sections 1 to 6 are effective January 1, 2017, or upon federal approval, whichever occurs later. Section 7 is effective the day following final enactment."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 3332:** A bill for an act relating to state government; making supplemental appropriations for human services, health, health licensing boards, and the ombudsman for mental health and developmental disabilities; making forecast adjustments; modifying provisions governing health care, children and family services, continuing care, mental health services, operations, direct care and treatment, Department of Health programs, and health-related licensing boards; making technical changes; modifying fees; requiring reports; making changes to medical assistance, MinnesotaCare, child care assistance, and home and community-based waiver services programs; creating the Department of Human Services Office of Special Investigations Law Enforcement Division; making changes to electronic health information technology; allowing health care practitioners access to patient registry information under certain conditions; providing criminal penalties for improper access to patient registry information; requiring a cost/benefit analysis of health care system proposals; changing certain public health priority points for health risk limits and contaminated private wells; amending Minnesota Statutes 2014, sections 13.3806, subdivision 22; 62J.495, subdivision 4; 62J.496, subdivision 1; 119B.011, subdivisions 6, 19, 20, 20a, by adding subdivisions; 119B.02, subdivisions 1, 5, by adding a subdivision; 119B.025, by adding subdivisions; 119B.03, subdivisions 3, 9; 119B.09, subdivisions 1, 6, 7, 9a; 119B.10; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.125, subdivision 1b, by adding subdivisions; 119B.13, subdivisions 1, 1a, 4; 152.27, subdivision 2, by adding a subdivision; 152.33, by adding a subdivision; 214.075, subdivision 3; 245.99, subdivision 2; 245A.02, by adding subdivisions; 245A.03, subdivision 7; 245A.04, subdivision 4; 245A.09, subdivision 7; 245A.10, subdivisions 2, 4, 8; 245A.14, by adding a subdivision; 245A.151; 245A.16, by adding a subdivision; 245A.40, subdivisions 1, 7; 245A.50, subdivision 9; 245A.66, subdivision 2; 245C.03, by adding a subdivision; 245C.04, subdivision 1; 245C.05, subdivisions 2b, 4, 7; 245C.08, subdivisions 2, 4; 245C.11, subdivision 3; 245C.17, subdivision 6; 245C.23, subdivision 2; 246.54, as amended; 246B.01, subdivision 2b; 246B.035; 246B.10; 253B.18, subdivision 4b; 253D.27, subdivision 2; 253D.28, as amended; 253D.29, subdivisions 2, 3; 253D.30, subdivisions 3, 4, 5, 6; 253D.31; 254B.01, subdivision 4a; 256.01, by adding a subdivision; 256.98, subdivision 8; 256B.04, subdivision 14; 256B.059, subdivisions 1, 2, 3, by adding a subdivision; 256B.0622, by adding a subdivision; 256B.0625, by adding a subdivision; 256B.0915, subdivision 3b; 256B.092, subdivision 13; 256B.4912, by adding a subdivision; 256B.4914, subdivision 11; 256B.493, subdivisions 3, 4; 256B.76, by adding a subdivision; 256B.761; 256D.051; 256J.24, subdivision 5; 256L.01, subdivision 1a; 256L.04, subdivisions 1a, 2, 10; 256L.07, subdivision 1; 260C.451, by adding a subdivision; 626.05, subdivision 2; 626.556, subdivisions 3e, 10f; 626.84, subdivision 1; Minnesota Statutes 2015 Supplement, sections 16A.724, subdivision 2; 119B.025, subdivision 1;

119B.09, subdivision 4; 119B.13, subdivision 6; 245.4889, subdivision 1; 245.735, subdivisions 3, 4; 245A.16, subdivision 1; 245A.40, subdivisions 3, 4; 245D.03, subdivision 1; 254B.05, subdivision 5; 256.478; 256B.059, subdivision 5; 256B.0625, subdivisions 31, 58; 256B.441, subdivision 30; 256B.49, subdivision 24; 256B.4914, subdivisions 10, 14, 15; 256L.01, subdivision 5; 256L.04, subdivision 7b; 256L.05, subdivision 3a; 256L.06, subdivision 3; 256L.15, subdivision 1; 256M.41, subdivision 3; 256P.05, subdivision 1; 256P.06, subdivision 3; 256P.07, subdivisions 3, 6; 260C.203; 260C.212, subdivisions 1, 14; 260C.215, subdivision 4; 260C.451, subdivision 6; 260C.521, subdivision 1; 626.556, subdivisions 2, 3c, 10b; Laws 2013, chapter 108, article 14, section 2, subdivision 1, as amended; Laws 2015, chapter 71, article 14, sections 2, subdivision 1; 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 119B; 245A; 246; 256B; 260C; 260D; repealing Minnesota Statutes 2014, sections 119B.07; 119B.125, subdivision 5; 253D.27, subdivisions 3, 4; 256B.059, subdivision 1a; 256B.493, subdivisions 1, 2; 256L.04, subdivisions 2a, 8; 256L.22; 256L.24; 256L.26; 256L.28; Minnesota Statutes 2015 Supplement, section 119B.125, subdivision 8; Minnesota Rules, parts 3400.0040, subparts 6a, 6b; 3400.0110, subparts 2a, 10; 3400.0170, subparts 7, 8; 9502.0405, subpart 4, item C; 9502.0425, subpart 18; 9503.0100; 9503.0140, subpart 5; 9503.0145, subpart 6; 9503.0155, subpart 11.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 2, strike "spousal share" and insert "marital assets"

Page 6, line 5, delete "payment of long-term care services" and insert "an institutionalized spouse"

Page 6, line 27, after "adjustment" insert "on January 1, 2017, and every January 1 thereafter,"

Page 7, line 10, delete "payment of long-term care services" and insert "an institutionalized spouse"

Page 8, line 8, before "during" insert "and" and strike "institutionalization" and insert "enrollment"

Page 8, delete line 31 and insert:

"EFFECTIVE DATE. Paragraph (a), clauses (1) and (3), and paragraph (b) are effective June 1, 2016. Paragraph (a), clause (2), is effective March 1, 2017."

Page 21, line 11, delete everything after "19" and insert a period

Page 21, line 12, delete everything before the period and insert "The commissioner may determine alternative payment policies for providers who have entered into a contractual agreement in order to support the costs of providing high-quality care. The commissioner may determine alternative eligibility policies for families using a provider who has entered into a contractual agreement in order to reach underserved populations"

Page 24, line 3, after the first "Changes" insert "in eligibility" and delete "to" and insert "in"

Page 24, lines 5 and 31, after "changes" insert "in eligibility factors"

Page 27, line 9, delete "paid"

Page 27, line 10, delete "by child care assistance"

Page 28, delete section 21

Page 34, line 2, delete ". The overpayment must not be established or collected when" and insert ", with the following exceptions"

Page 34, delete lines 3 to 8 and insert:

"(i) overpayments estimated to be less than \$500 must not be established or collected;

(ii) the portion of an overpayment that occurred more than one year before the date of the overpayment determination must not be established or collected;

(iii) the first three months of an overpayment that occurred because of a failure to report the permanent end to the parent's activity must not be established or collected; or

(iv) overpayments designated solely as agency error must not be established or collected."

Page 38, line 16, delete "a"

Page 38, line 17, delete "provider" and insert "providers"

Page 38, line 18, delete "a" and delete "provider" and insert "providers"

Page 39, line 2, delete "TO REGISTER"

Page 39, line 8, delete "to register"

Page 41, line 26, delete "12" and insert "9"

Page 42, line 2, delete "or contractors" and delete "shall" and insert "will"

Page 42, line 4, after "volunteers" insert "or contractors"

Page 42, line 9, delete "an" and insert "every"

Page 42, lines 25 and 26, delete "member" and insert "person"

Page 42, line 28, before "person" insert "staff"

Page 43, line 2, delete "date of enrollment" and insert "first day of attendance"

Page 43, delete lines 4 to 13 and insert:

"(3) requiring training on reducing the risk of sudden, unexpected infant death, in compliance with section 245A.1435, for any staff person or volunteer that cares for infants, as defined as a child who is at least six weeks old but less than 16 months old, before the staff person is permitted to assist in the care of infants. The center must document the date of the training in the personnel record for each staff person;

(4) requiring training on abusive head trauma from shaking infants and young children for any staff person that cares for children through four years of age before the staff person is permitted to assist in the care of children through four years of age. The center must document the date of the training in the personnel record for each staff person;"

Page 43, line 14, delete "(4)" and insert "(5)"

Page 44, line 1, delete "(5)" and insert "(6)"

Page 44, line 16, delete "(6)" and insert "(7)"

Page 44, line 27, delete "(7)" and insert "(8)"

Page 44, line 33, delete "(8)" and insert "(9)"

Page 45, line 3, delete "(9)" and insert "(10)" and delete everything after "requiring"

Page 45, line 4, delete everything before "at"

Page 45, line 7, delete "(10)" and insert "(11)"

Page 45, line 35, after "address," insert "and" and delete ", and date of birth"

Page 46, delete subdivision 15

Page 46, line 7, delete "16" and insert "15"

Page 46, line 9, delete "17" and insert "16"

Page 50, line 9, after "all" insert "child care"

Page 52, line 11, after "operation" insert "when the child is in the care of the program"

Page 53, line 9, reinstate the stricken language

Page 54, line 31, delete "8" and insert "7"

Page 55, line 2, delete "aids" and insert "aid"

Page 55, line 3, delete "components of this section" and insert "licensing functions under subdivision 1, paragraphs (a), (b), (c), and (h), and paragraph (a) of this subdivision"

Page 55, line 10, reinstate the stricken language and delete the new language

Page 61, line 28, after "conduct" insert "annual evacuation, relocation, shelter-in-place, and lockdown drills, and conduct the"

Page 63, line 31, delete "or" and insert a period and strike "at" and delete "the time of" and strike "reapplication"

Page 63, line 32, strike the old language and delete the new language and insert "From October 1, 2017, to September 30, 2019, the commissioner shall conduct a background study of individuals required to be studied under section 245C.03, at the time of reapplication for a family child care license."

Page 67, after line 12, insert:

"Sec. 54. Minnesota Statutes 2015 Supplement, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. **Background studies conducted by Department of Human Services.** (a) For a background study conducted by the Department of Human Services, including background studies conducted effective October 1, 2017, on legal nonlicensed child care providers authorized under chapter 119B, the commissioner shall review:

(1) information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (j);

(2) the commissioner's records relating to the maltreatment of minors in licensed programs, and from findings of maltreatment of minors as indicated through the social service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listed in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information regarding a background study subject's registration in Minnesota as a predatory offender under section 243.166;

(5) except as provided in clause (6), information from the national crime information system when the commissioner has reasonable cause as defined under section 245C.05, subdivision 5, or as required under section 144.057, subdivision 1, clause (2); and

(6) for a background study related to a child foster care application for licensure, a transfer of permanent legal and physical custody of a child under sections 260C.503 to 260C.515, or adoptions, the commissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which the background study subject has resided for the past five years; and

(ii) information from national crime information databases, when the background study subject is 18 years of age or older.

(b) Notwithstanding expungement by a court, the commissioner may consider information obtained under paragraph (a), clauses (3) and (4), unless the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner.

(c) The commissioner shall also review criminal case information received according to section 245C.04, subdivision 4a, from the Minnesota court information system that relates to individuals who have already been studied under this chapter and who remain affiliated with the agency that initiated the background study.

(d) When the commissioner has reasonable cause to believe that the identity of a background study subject is uncertain, the commissioner may require the subject to provide a set of classifiable fingerprints for purposes of completing a fingerprint-based record check with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph shall not be saved by the commissioner after they have been used to verify the identity of the background study subject against the particular criminal record in question.

(e) The commissioner may inform the entity that initiated a background study under NETStudy 2.0 of the status of processing of the subject's fingerprints."

Page 67, line 16, after "services" insert ", including background studies conducted in connection with legal nonlicensed child care authorized under chapter 119B"

Page 79, after line 13, insert:

**"EFFECTIVE DATE. This section is effective October 1, 2016."**

Page 105, lines 16 and 17, reinstate the stricken language and delete the new language

Page 106, delete section 81

Page 107, delete section 82

Page 108, delete lines 22 to 24 and insert "residence setting licensed according to Minnesota Rules, parts 2960.3000 to 2960.3340, or an adult foster care home licensed according to Minnesota Rules, parts 9555.5105 to 9555.6265, where the license holder does not live in the home."

Page 109, line 22, after "(1)" insert "corporate"

Page 109, line 25, strike everything before the semicolon

Page 109, line 26, before "foster" insert "corporate"

Page 110, delete lines 11 to 17 and insert:

"(iv) individuals receiving services under chapter 245D while residing in an unlicensed setting prior to May 1, 2016, and for which a license is required, as determined by the commissioner. The exception will be available until June 30, 2017. To meet this exception, the following criteria must be met:

(A) the individual's case manager must have provided information about the choice of services, services providers, and location of services in order to help the individual make an informed choice. The information provided must include information about choosing to receive services in the individual's own home; and

(B) the individual's services provided in the licensed foster care or community residential setting are less than or equal to the cost of services that were delivered in the unlicensed setting;"

Page 112, line 21, strike "(a)" and insert "(d)"

Page 116, after line 21, insert:

"Sec. 7. Minnesota Statutes 2015 Supplement, section 256B.4913, subdivision 4a, is amended to read:

Subd. 4a. **Rate stabilization adjustment.** (a) For purposes of this subdivision, "implementation period" means the period beginning January 1, 2014, and ending on the last day of the month in which the rate management system is populated with the data necessary to calculate rates for substantially all individuals receiving home and community-based waiver services under sections 256B.092 and 256B.49. "Banding period" means the time period beginning on January 1, 2014, and ending upon the expiration of the 12-month period defined in paragraph (c), clause (5).

(b) For purposes of this subdivision, the historical rate for all service recipients means the individual reimbursement rate for a recipient in effect on December 1, 2013, except that:

(1) for a day service recipient who was not authorized to receive these waiver services prior to January 1, 2014; added a new service or services on or after January 1, 2014; or changed providers on or after January 1, 2014, the historical rate must be the weighted average authorized rate for the each provider number in the county of service, effective December 1, 2013; or

(2) for a unit-based service with programming or a unit-based service without programming recipient who was not authorized to receive these waiver services prior to January 1, 2014; added a new service or services on or after January 1, 2014; or changed providers on or after January 1, 2014, the historical rate must be the weighted average authorized rate for each provider number in the county of service, effective December 1, 2013; or

(3) for residential service recipients who change providers on or after January 1, 2014, the historical rate must be set by each lead agency within their county aggregate budget using their respective methodology for residential services effective December 1, 2013, for determining the provider rate for a similarly situated recipient being served by that provider.

(c) The commissioner shall adjust individual reimbursement rates determined under this section so that the unit rate is no higher or lower than:

(1) 0.5 percent from the historical rate for the implementation period;

(2) 0.5 percent from the rate in effect in clause (1), for the 12-month period immediately following the time period of clause (1);

(3) 0.5 percent from the rate in effect in clause (2), for the 12-month period immediately following the time period of clause (2);

(4) 1.0 percent from the rate in effect in clause (3), for the 12-month period immediately following the time period of clause (3);

(5) 1.0 percent from the rate in effect in clause (4), for the 12-month period immediately following the time period of clause (4); and

(6) no adjustment to the rate in effect in clause (5) for the 12-month period immediately following the time period of clause (5). During this banding rate period, the commissioner shall not enforce any rate decrease or increase that would otherwise result from the end of the banding period. The commissioner shall, upon enactment, seek federal approval for the addition of this banding period.

(d) The commissioner shall review all changes to rates that were in effect on December 1, 2013, to verify that the rates in effect produce the equivalent level of spending and service unit utilization on an annual basis as those in effect on October 31, 2013.

(e) By December 31, 2014, the commissioner shall complete the review in paragraph (d), adjust rates to provide equivalent annual spending, and make appropriate adjustments.

(f) During the banding period, the Medicaid Management Information System (MMIS) service agreement rate must be adjusted to account for change in an individual's need. The commissioner shall adjust the Medicaid Management Information System (MMIS) service agreement rate by:

(1) calculating a service rate under section 256B.4914, subdivision 6, 7, 8, or 9, for the individual with variables reflecting the level of service in effect on December 1, 2013;

(2) calculating a service rate under section 256B.4914, subdivision 6, 7, 8, or 9, for the individual with variables reflecting the updated level of service at the time of application; and

(3) adding to or subtracting from the Medicaid Management Information System (MMIS) service agreement rate, the difference between the values in clauses (1) and (2).

(g) This subdivision must not apply to rates for recipients served by providers new to a given county after January 1, 2014. Providers of personal supports services who also acted as fiscal support entities must be treated as new providers as of January 1, 2014."

Page 130, line 17, before "counties" insert "county or"

Page 130, line 22, delete "as long as" and insert "if"

Page 130, line 23, delete "decide to"

Page 130, line 27, delete "and recommended"

Page 130, line 28, before the period, insert ", and may also provide a list of recommended evidence-based practices"

Page 139, line 30, before "chapter" insert "this" and strike "245D" and before "after" insert "and that are specified under section 245D.03, subdivision 1,"

Page 139, line 31, after "for" insert "these services during"

Page 141, after line 25, insert:

"(4) The commissioner shall calculate the licensing fee for providers of home and community-based services and supports under this paragraph and invoice the license holder annually. Upon challenge of the invoiced fee amount by the license holder, the commissioner shall provide the license holder with a report identifying the medical assistance claims paid by the commissioner to the license holder that formed the basis for the licensing fee calculation."

Page 145, line 4, delete "county shall pay"

Page 145, line 5, delete "for care" and insert "county's payment of the cost of care"

Page 145, line 17, delete "county shall pay for" and insert "county's payment of the cost of"

Page 145, line 24, delete "county shall pay for" and insert "county's payment of the cost of"

Page 146, line 4, delete "a" and insert "the"

Page 146, line 5, delete "at" and insert "in"

Page 146, line 13, after "the" insert "examiner opines that the"

Page 146, line 32, strike "subdivision 1 does" and insert "subdivisions 1, 1a, 1b, and 1c, do"

Page 147, delete section 3

Page 148, delete line 26

Page 148, line 27, delete "(b)" and insert "(a)"

Page 148, line 30, reinstate the stricken language and delete the new language

Page 149, line 1, delete "(c)" and insert "(b)"

Page 149, line 3, delete "(d)" and insert "(c)"

Page 149, after line 6, insert:

"Sec. 6. Minnesota Statutes 2014, section 253B.15, subdivision 1, is amended to read:

Subdivision 1. **Provisional discharge.** (a) The head of the treatment facility may provisionally discharge any patient without discharging the commitment, unless the patient was found by the committing court to be a person who is mentally ill and dangerous to the public, or a sexually dangerous person or a sexual psychopathic personality.

(b) When a person committed to the commissioner of human services becomes ready for provisional discharge prior to being placed in a facility designated by the commissioner of human services, the head of the facility that is providing treatment may provisionally discharge the patient.

(c) Each patient released on provisional discharge shall have a written aftercare plan developed which specifies the services and treatment to be provided as part of the aftercare plan, the financial resources available to pay for the services specified, the expected period of provisional discharge, the precise goals for the granting of a final discharge, and conditions or restrictions on the patient during the period of the provisional discharge. The aftercare plan shall be provided to the patient, the patient's attorney, and the designated agency.

(d) The aftercare plan shall be reviewed on a quarterly basis by the patient, designated agency and other appropriate persons. The aftercare plan shall contain the grounds upon which a provisional discharge may be revoked. The provisional discharge shall terminate on the date specified in the plan unless specific action is taken to revoke or extend it."

Page 149, line 29, after the second comma, insert "and for whom review has been requested,"

Page 149, line 31, after the second comma, insert "and for whom review has been requested,"

Page 150, after line 4, insert:

"Sec. 8. Minnesota Statutes 2014, section 253D.14, subdivision 3, is amended to read:

Subd. 3. **Notice of discharge or release.** Before provisionally discharging, discharging, granting pass-eligible status, approving a pass plan, or otherwise permanently or temporarily releasing a person committed under this chapter from a treatment facility, the executive director shall make a reasonable effort to notify any victim of a crime for which the person was convicted that the person may be discharged or released and that the victim has a right to submit a written statement regarding decisions of the executive director, or ~~special review board~~ judicial appeal panel, with respect to the person. To the extent possible, the notice must be provided at least 14 days before any ~~special review board~~ judicial appeal panel hearing or before a determination on a pass plan. Notwithstanding section 611A.06, subdivision 4, the commissioner shall provide the judicial appeal panel with victim information in order to comply with the provisions of this chapter. The judicial appeal panel shall ensure that the data on victims remains private as provided for in section 611A.06, subdivision 4."

Page 156, delete sections 17 and 18

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 2767:** A bill for an act relating to health; modifying provisions governing qualifying medical conditions for purposes of the medical cannabis registry program, medical cannabis distribution facilities, distribution of medical cannabis, and transportation of medical cannabis; amending Minnesota Statutes 2014, sections 152.22, subdivision 14; 152.29, subdivision 3, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 152.29, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 152.22, subdivision 14, is amended to read:

Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a diagnosis of any of the following conditions:

- (1) cancer, if the underlying condition or treatment produces one or more of the following:
  - (i) severe or chronic pain;
  - (ii) nausea or severe vomiting; or
  - (iii) cachexia or severe wasting;
- (2) glaucoma;
- (3) human immunodeficiency virus or acquired immune deficiency syndrome;
- (4) Tourette's syndrome;
- (5) amyotrophic lateral sclerosis;
- (6) seizures, including those characteristic of epilepsy;
- (7) severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- (8) inflammatory bowel disease, including Crohn's disease;
- (9) terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:
  - (i) severe or chronic pain;
  - (ii) nausea or severe vomiting; or
  - (iii) cachexia or severe wasting; or
- (10) any other medical condition or its treatment approved by the commissioner.

Sec. 2. Minnesota Statutes 2014, section 152.29, subdivision 3, is amended to read:

Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees licensed as pharmacists pursuant to chapter 151 be the only employees to ~~distribute~~ give final approval for the distribution of medical cannabis to a patient.

(b) A manufacturer may dispense medical cannabis products, whether or not the products have been manufactured by the manufacturer, but is not required to dispense medical cannabis products.

(c) Prior to distribution of any medical cannabis, the manufacturer shall:

(1) verify that the manufacturer has received the registry verification from the commissioner for that individual patient;

(2) verify that the person requesting the distribution of medical cannabis is the patient, the patient's registered designated caregiver, or the patient's parent or legal guardian listed in the registry verification using the procedures described in section 152.11, subdivision 2d;

(3) assign a tracking number to any medical cannabis distributed from the manufacturer;

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner. For purposes of this clause, a consultation may be conducted remotely using a videoconference, so long as the employee providing the consultation is able to confirm the identity of the patient, the consultation occurs while the patient is at a distribution facility, and the consultation adheres to patient privacy requirements that apply to health care services delivered through telemedicine;

(5) properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child-resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:

(i) the patient's name and date of birth;

(ii) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;

(iii) the patient's registry identification number;

(iv) the chemical composition of the medical cannabis; and

(v) the dosage; and

(6) ensure that the medical cannabis distributed contains a maximum of a 30-day supply of the dosage determined for that patient.

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility to carry identification showing that the person is an employee of the manufacturer.

Sec. 3. Minnesota Statutes 2014, section 152.29, is amended by adding a subdivision to read:

Subd. 3a. **Transportation of medical cannabis; staffing.** A medical cannabis manufacturer may staff a transport motor vehicle with only one employee if the medical cannabis manufacturer is transporting medical cannabis to either a certified laboratory for the purpose of testing or a facility for the purpose of disposal. If the medical cannabis manufacturer is transporting medical cannabis for any other purpose or destination, the transport motor vehicle must be staffed with a minimum of two employees as required by rules adopted by the commissioner."

Amend the title accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was re-referred**

**S.F. No. 3205:** A bill for an act relating to transportation; amending certain regulations and penalties governing special transportation service providers; setting requirements for nonemergency medical transportation providers related to background studies; amending Minnesota Statutes 2014, section 174.30, subdivisions 1, 4a, 8, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 174.30, subdivisions 4, 10; 256B.0625, subdivision 17.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, lines 19 and 20, before the semicolon, insert "subdivision 5a"

Page 6, line 8, delete "A provider is barred" and insert "An organization may be terminated, denied, or suspended"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was re-referred**

**S.F. No. 3102:** A bill for an act relating to criminal justice; clarifying the law on financial responsibility for the costs of a medical examination for sexual assault victims; amending Minnesota Statutes 2014, section 609.35.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 3333:** A bill for an act relating to human services; correcting terminology relating to the Supplemental Nutrition Assistance Program.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred**

**S.F. No. 2824:** A bill for an act relating to health care; developing a pilot program to increase early preventive dental intervention and care for infants and toddlers; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [144.0615] STATEWIDE SCHOOL-BASED SEALANT GRANT PROGRAM.

(a) The commissioner of health shall develop a statewide coordinated dental sealant program to improve access to preventive dental services for school-aged children. The program shall focus on developing the data tools necessary to identify the public schools in the state with students ages six to nine who are in the greatest need of preventive dental care based on the percentage of students who are low-income and who are either enrolled in a public health care program or uninsured, and have no access to a school-based sealant program. In creating this program, the commissioner shall

develop an implementation plan that identifies statewide needs, establishes outcome measures, and provides an evaluation process based on the outcome measures established.

(b) The commissioner shall award grants to nonprofit organizations to provide school-based sealant programs. The grants shall be available to expand existing school-based sealant programs and to create new programs in schools that have been identified as underserved high-risk schools.

(c) By March 15, 2018, the commissioner shall submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health care, describing the implementation plan, including the data tools developed, the outcome measures, the number of grants awarded, and the location of the schools participating in the grants and the results of the evaluation of the program in terms of improving access to sealants for school-aged children ages six to nine.

**Sec. 2. EARLY DENTAL PREVENTION PILOT PROGRAM.**

(a) The commissioner of health shall develop and implement a pilot program to increase awareness and encourage early preventive dental intervention for infants and toddlers. The commissioner shall award grants to five designated communities of color or recent immigrants to participate in the pilot program, with at least two designated communities located in the nonmetropolitan area.

(b) The commissioner, in consultation with members of the designated communities, shall distribute or cause to be distributed the educational materials and information developed under Minnesota Statutes, section 144.061, to expectant and new parents within the designated communities, including, but not limited to, making the materials available to health care providers, community clinics, WIC sites, and other relevant sites within the designated communities through a variety of communicative means, including oral, visual, audio, and print.

(c) The commissioner shall work with members of each designated community to ensure that the educational materials and information are distributed. The commissioner shall assist the designated community with developing strategies, including outreach through ethnic radio, webcasts, and local cable programs, and incentives to encourage and provide early preventive dental intervention and care for infants and toddlers that are geared toward the ethnic groups residing in the designated community.

(d) The commissioner shall develop measurable outcomes, establish a baseline measurement, and evaluate performance within each designated community in order to measure whether the educational materials, information, strategies, and incentives increased the numbers of infants and toddlers receiving early preventive dental intervention and care.

(e) By March 15, 2018, the commissioner shall submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health care. The report shall describe:

- (1) the details of the program;
- (2) the communities designated for the program;
- (3) the strategies, including any incentives implemented;
- (4) the outcome measures used; and
- (5) the results of the evaluation for each designated community.

**Sec. 3. APPROPRIATION.**

(a) \$..... is appropriated in fiscal year 2017 from the general fund to the commissioner of health to implement the statewide school-based sealant program under Minnesota Statutes, section 144.0615.

(b) \$..... is appropriated in fiscal year 2017 from the general fund to the commissioner of health to implement the pilot program to increase awareness and encourage early preventive dental intervention and care for infants and toddlers."

Amend the title as follows:

Page 1, line 2, delete "a" and delete "program" and insert "programs"

Page 1, line 3, delete "and toddlers" and insert ", toddlers, and school-aged children" and after the semicolon, insert "requiring a report;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 3028, 2989, 1372, 3323, 2757, 3262, 2542, 2409, 1111, 2525, 2862, 2785, 2767 and 3333 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Limmer, Dzedzic, Dibble, Senjem and Weber introduced–**

**S.F. No. 3426:** A resolution expressing concern over persistent and credible reports of systematic, state-sanctioned, forced organ harvesting from nonconsenting prisoners of conscience, primarily from Falun Gong practitioners imprisoned for their spiritual beliefs, and members of other religious and ethnic minority groups in the People's Republic of China.

Referred to the Committee on Judiciary.

**Senator Anderson introduced–**

**S.F. No. 3427:** A bill for an act relating to military veterans; providing certain disclosure requirements related to veterans benefits services; requiring the commissioner of veterans affairs to develop a disclosure statement; amending Minnesota Statutes 2014, section 196.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on State and Local Government.

**Senators Johnson, Wiger, Lourey, Sparks and Stumpf introduced—**

**S.F. No. 3428:** A bill for an act relating to education finance; modifying early childhood and family education home visiting levy; establishing a home visiting revenue program; amending Minnesota Statutes 2014, section 124D.135, subdivision 6, by adding subdivisions.

Referred to the Committee on Finance.

**Senator Sparks introduced—**

**S.F. No. 3429:** A bill for an act relating to telecommunications; modifying the border-to-border broadband grant program; modifying Minnesota's statewide broadband goals; appropriating money; amending Minnesota Statutes 2014, sections 116J.395, subdivisions 2, 6; 237.012; Minnesota Statutes 2015 Supplement, section 116J.394.

Referred to the Committee on Jobs, Agriculture and Rural Development.

**Senator Weber introduced—**

**S.F. No. 3430:** A bill for an act relating to transportation; permitting certain use of vehicles bearing drive-away in-transit plates for road exams; making technical changes; amending Minnesota Statutes 2014, section 171.13, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 168.053, subdivision 1.

Referred to the Committee on Transportation and Public Safety.

**Senator Franzen introduced—**

**S.F. No. 3431:** A bill for an act relating to health; establishing a research program to measure the impact on health care treatment outcomes and costs of providing iron-rich foods to children and pregnant women with iron deficiency anemia; appropriating money.

Referred to the Committee on Health, Human Services and Housing.

**Senators Jensen and Dahle introduced—**

**S.F. No. 3432:** A bill for an act relating to capital investment; appropriating money for acquisition and development of state parks, recreation areas, and trails; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Rest introduced—**

**S.F. No. 3433:** A bill for an act relating to tax increment financing; clarifying the permitted use of certain increments; amending Minnesota Statutes 2014, section 469.1763, subdivision 4.

Referred to the Committee on Taxes.

**Senator Ingebrigtsen introduced—**

**S.F. No. 3434:** A bill for an act relating to game and fish; allowing hunters with a disability to hunt with laser sights; providing criminal penalties; amending Minnesota Statutes 2014, section 97B.081, by adding a subdivision.

Referred to the Committee on Environment and Energy.

**Senators Tomassoni, Bakk and Saxhaug introduced—**

**S.F. No. 3435:** A bill for an act relating to natural resources; modifying land reclamation appeal provisions; amending Minnesota Statutes 2014, section 93.50.

Referred to the Committee on Environment and Energy.

**Senators Ingebrigtsen, Newman and Limmer introduced—**

**S.F. No. 3436:** A bill for an act relating to civil actions; extending the time period for commencement of certain actions alleging sexual abuse of a minor; amending Laws 2013, chapter 89, section 1.

Referred to the Committee on Judiciary.

**Senator Tomassoni introduced—**

**S.F. No. 3437:** A bill for an act relating to transportation finance; modifying a conveyance of property to city of Floodwood; amending Laws 1994, chapter 643, section 15, subdivision 8.

Referred to the Committee on Finance.

**Senator Latz introduced—**

**S.F. No. 3438:** A bill for an act relating to public safety; appropriating money for public safety, corrections, courts, guardian ad litem board, and human rights.

Referred to the Committee on Finance.

**Senator Dzedzic introduced—**

**S.F. No. 3439:** A bill for an act relating to higher education; providing funding for higher education; establishing the equity in postsecondary attainment grant; increasing operating support; funding cybersecurity, health restoration, and healthy Minnesota initiatives; requiring a report; appropriating money.

Referred to the Committee on Finance.

**Senators Hawj, Bonoff, Senjem and Champion introduced—**

**S.F. No. 3440:** A bill for an act relating to economic development; requiring capacity-building grants to connect education and jobs; appropriating money.

Referred to the Committee on Finance.

**Senators Thompson, Chamberlain, Newman and Gazelka introduced—**

**S.F. No. 3441:** A bill for an act relating to taxation; eliminating income and business taxes and replacing the sales tax with a fair tax; amending Minnesota Statutes 2014, sections 297A.61, subdivisions 2, 7, 24; 297A.62, subdivisions 1, 1a; 297A.63, by adding a subdivision; 297A.66, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 297A; repealing Minnesota Statutes 2014, sections 290.01, subdivisions 1, 1a, 2, 3, 3a, 3b, 4, 4a, 4c, 5, 5a, 5b, 6, 7, 7a, 7b, 8, 8a, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19a, 19b, 19c, 19d, 19f, 19h, 20, 22, 29, 29a, 30; 290.014; 290.015; 290.02; 290.03; 290.032, subdivisions 1, 2, 3; 290.04; 290.05, subdivisions 1, 2, 3, 4, 8; 290.06, subdivisions 1, 2c, 2d, 22, 23, 27, 28, 29, 33, 35, 36; 290.067, subdivisions 1, 2, 2a, 2b, 3, 4; 290.0671, subdivisions 1a, 2, 4, 5, 6, 7; 290.0672; 290.0674, subdivisions 1, 2, 4, 5; 290.0675, subdivisions 1, 2, 3, 4; 290.0677; 290.0679; 290.068, subdivisions 1, 2, 3, 4, 5, 6a, 7; 290.0681; 290.0692; 290.07, subdivisions 1, 2, 4, 7; 290.0802; 290.081; 290.091; 290.0921, subdivisions 1, 2, 3, 3a, 4, 6, 8; 290.0922; 290.093; 290.095, subdivisions 1, 2, 3, 4, 5, 9, 11; 290.10; 290.17, subdivisions 1, 2, 3, 4, 5, 6; 290.172; 290.191, subdivisions 1, 2, 3, 5, 6, 8, 9, 10, 11, 12; 290.20; 290.21, subdivisions 1, 4; 290.22; 290.26, subdivision 6; 290.281, subdivision 1; 290.30; 290.31, subdivisions 1, 27; 290.311, subdivision 1; 290.32; 290.34, subdivisions 1, 2; 290.36; 290.371, subdivisions 1, 2, 3, 4; 290.431; 290.432; 290.48, subdivision 10; 290.491; 290.62; 290.92, subdivisions 1, 2a, 3, 4, 4a, 4b, 4c, 5, 5a, 9, 10, 12, 16, 17, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30; 290.9201, subdivisions 1, 2, 6, 7, 8, 11; 290.923, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, 10, 11; 290.9705, subdivisions 1, 3, 4; 290.9725; 290.9726, subdivisions 1, 2, 4; 290.9727; 290.9728; 290.9729; 290.9741; 290.9742; 290.9743; 290.9744; 297A.61, subdivisions 3, 4, 10, 12, 13, 16a, 16b, 16c, 17, 17a, 17b, 18, 25, 26, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 44, 45, 46, 49; 297A.62, subdivision 3; 297A.63, subdivision 2; 297A.64, subdivisions 1, 2, 3, 4, 5; 297A.65; 297A.67, subdivisions 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13a, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 27, 28, 29, 31, 32; 297A.68, subdivisions 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 19, 20, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35a, 36, 37, 39, 40, 42, 43, 44; 297A.69, subdivisions 1, 2, 3, 4, 6, 7; 297A.70, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 9a, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19; 297A.71, subdivisions 1, 3, 6, 8, 11, 12, 13, 14, 22, 23, 34, 35, 40, 42, 43, 44, 45, 46, 47, 48; 297A.75; 297D.01; 297D.02; 297D.03; 297D.04; 297D.05; 297D.06; 297D.07; 297D.08; 297D.085; 297D.09; 297D.10; 297D.11; 297D.12; 297D.13; 297F.01; 297F.02; 297F.03; 297F.031; 297F.04; 297F.05; 297F.06; 297F.07; 297F.08, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 8a, 9, 10, 12, 13; 297F.09, subdivisions 1, 2, 3, 4, 4a, 5, 7, 8, 9, 10; 297F.10; 297F.11; 297F.12; 297F.13; 297F.14; 297F.15, subdivisions 9, 10; 297F.17; 297F.18; 297F.185; 297F.19, subdivisions 1, 2, 3, 5, 6, 7, 8, 9; 297F.20; 297F.21, subdivisions 1, 2, 3; 297F.23; 297F.24; 297F.25; 297G.01; 297G.02; 297G.03; 297G.031; 297G.032; 297G.04; 297G.05; 297G.06; 297G.07; 297G.08; 297G.09, subdivisions 1, 2, 3, 4, 6, 7, 8, 9, 10; 297G.10; 297G.11; 297G.12; 297G.13; 297G.14, subdivision 9; 297G.16; 297G.17; 297G.18, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11; 297G.19; 297G.20, subdivisions 1, 2, 3, 4; 297G.22; 297H.01; 297H.02; 297H.03; 297H.04; 297H.05; 297H.06; 297H.07; 297H.08; 297H.09; 297H.10, subdivision 1; 297H.11; 297H.115; 297H.12; 297H.13, subdivisions 1, 2, 5; 297I.01; 297I.05, subdivisions 1, 2, 3, 4, 5, 7, 11, 12, 13, 14; 297I.06; 297I.10, subdivisions 1, 3, 4; 297I.11; 297I.15; 297I.20; 297I.25; 297I.30, subdivisions 1, 2, 7, 8, 9, 10; 297I.35; 297I.40; 297I.60; 297I.65; 297I.70; 297I.75; 297I.80; 297I.85; 297I.90; Minnesota Statutes 2015 Supplement, sections 290.01, subdivisions 19, 31; 290.0671, subdivisions 1, 6a; 297A.67, subdivision 13; 297A.68, subdivisions 2, 5; 297A.70, subdivision 2.

Referred to the Committee on Taxes.

**Senator Ruud introduced—**

**S.F. No. 3442:** A bill for an act relating to public safety; enhancing penalties and establishing minimum fines for repeat violations of driving without a valid license; amending Minnesota Statutes 2014, section 171.24.

Referred to the Committee on Judiciary.

**Senator Pappas introduced—**

**S.F. No. 3443:** A bill for an act relating to public safety; requiring testing of sexual assault examination kits; allowing patients to opt out of testing sexual assault examination kits; requiring peace officers to participate in recurring sexual assault investigation training; amending Minnesota Statutes 2014, section 626.8451, subdivisions 2, 3, 4, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Judiciary.

**Senators Jensen and Latz introduced—**

**S.F. No. 3444:** A bill for an act relating to commerce; appropriating money for civil insurance fraud investigators.

Referred to the Committee on Finance.

**Senator Sieben introduced—**

**S.F. No. 3445:** A bill for an act relating to early childhood; creating the voluntary prekindergarten MinneK program; expanding the age range for early learning scholarships; eliminating the Head Start waiting list; encouraging additional home visiting opportunities; creating education grants and loan forgiveness for certain prospective early education teachers; appropriating money for early childhood learning and child protection facilities; authorizing grants to be used to renovate facilities and for school-based prekindergarten programs; authorizing the sale and issuance of state bonds; appropriating money; requiring a report; amending Minnesota Statutes 2014, sections 122A.09, by adding a subdivision; 122A.26, subdivision 2; 123B.92, by adding a subdivision; 124D.1158, subdivisions 3, 4; 124D.13, subdivisions 4, 9, 12, by adding a subdivision; 124D.135, subdivisions 1, 6; 124D.15, subdivisions 1, 3, 3a, 15; 124D.165, as amended; 126C.10, subdivision 2d; 256E.37; Minnesota Statutes 2015 Supplement, sections 120A.41; 122A.415, subdivision 1; 124D.59, subdivision 2; 124E.11; 126C.05, subdivision 1; Laws 2015, First Special Session chapter 3, article 9, section 8, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 122A; 123B; 124D; 136A; repealing Minnesota Statutes 2014, section 136A.128, subdivision 3.

Referred to the Committee on Finance.

**Senator Limmer introduced–**

**S.F. No. 3446:** A bill for an act relating to data practices; restricting use of private and nonpublic data to only those purposes authorized by law; amending Minnesota Statutes 2014, section 13.03, by adding a subdivision.

Referred to the Committee on Judiciary.

**Senators Hawj and Skoe introduced–**

**S.F. No. 3447:** A bill for an act relating to taxation; property; authorizing a state general tax refund for certain businesses; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Taxes.

**Senators Saxhaug, Carlson, Torres Ray and Clausen introduced–**

**S.F. No. 3448:** A bill for an act relating to state government; providing supplemental appropriations for Office of MN.IT Services, Departments of Administration, Minnesota Management and Budget, Revenue, Gambling Control Board, Minnesota State Retirement System, and Military Affairs; changing certain provisions in the information and telecommunications account; providing fines for violations of horse racing laws and rules be deposited in a racehorse rescue and retraining account; requiring a report; appropriating money; amending Minnesota Statutes 2014, section 16E.21; Minnesota Statutes 2015 Supplement, section 240.22; Laws 2015, chapter 77, article 1, section 3.

Referred to the Committee on Finance.

**MOTIONS AND RESOLUTIONS**

Senator Goodwin moved that the name of Senator Pratt be added as a co-author to S.F. No. 2713. The motion prevailed.

Senator Pappas moved that the name of Senator Marty be added as a co-author to S.F. No. 2885. The motion prevailed.

Senator Sheran moved that the name of Senator Newman be added as a co-author to S.F. No. 3209. The motion prevailed.

Senator Marty moved that the name of Senator Sparks be added as a co-author to S.F. No. 3272. The motion prevailed.

Senator Hayden moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 3310. The motion prevailed.

Senator Hayden moved that the name of Senator Dahle be added as a co-author to S.F. No. 3347. The motion prevailed.

Senator Sparks moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 3378. The motion prevailed.

Senator Saxhaug moved that the name of Senator Dahle be added as a co-author to S.F. No. 3407. The motion prevailed.

Senator Brown moved that S.F. No. 2245 be withdrawn from the Committee on Jobs, Agriculture and Rural Development and returned to its author. The motion prevailed.

Senator Brown moved that S.F. No. 2247 be withdrawn from the Committee on Taxes and returned to its author. The motion prevailed.

#### **MEMBERS EXCUSED**

Senators Anderson, Chamberlain, Hoffman, Latz and Miller were excused from the Session of today.

#### **ADJOURNMENT**

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Wednesday, April 6, 2016. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

