

## EIGHTY-FIRST DAY

St. Paul, Minnesota, Monday, April 11, 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. Jon Ellefson.

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

The President declared a quorum present.

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

## REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 2775, 3334 and 3481, and the report pertaining to appointments. The motion prevailed.

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

**S.F. No. 3140:** A bill for an act relating to public safety; requiring criminal history background checks for driving instructor license applicants; amending Minnesota Statutes 2014, section 171.35.

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

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

**S.F. No. 1898:** A bill for an act relating to contracts; regulating building and construction contracts; providing for certain progress payments and retainages; amending Minnesota Statutes 2014, section 337.10, subdivisions 3, 4.

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

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

**S.F. No. 1075:** A bill for an act relating to game and fish; requiring online applications for hunting and fishing licenses to provide for organ donation; requiring a report; amending Minnesota Statutes 2014, sections 13.7931, subdivision 6; 171.075, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

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. 3007:** A bill for an act relating to commerce; authorizing fantasy sports; amending Minnesota Statutes 2014, sections 541.20; 541.21; 609.761, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Page 1, delete lines 13 to 23 and insert:

"(2) prevent disclosure of gaming information that could affect fantasy game play before the information is made publicly available;

(3) prevent a game operator employee from being a participant in a fantasy game the game operator offers;

(4) verify that contest participants are 18 years of age through the use of a commercially available database or aggregate of databases that is regularly used by government and businesses for the purpose of age and identity verification and authentication;

(5) ensure that an individual who participates as a player or official in a game or contest that is the subject of a fantasy game will be restricted from entering a fantasy game that is determined, in whole or in part, on the accumulated statistical results of a team of individuals in the game or contest in which the individual is a participant;

(6) make available on the operator's Web site information about resources relating to compulsive behavior and where to seek assistance for compulsive behavior;

(7) make available via Web site, telephone, or online chat means to allow individuals to irrevocably restrict their ability to enter a fantasy game and select the length of time restrictions will be in place;"

Page 2, after line 8, insert:

"(10) offer access to the fantasy game player's play history, including a summary of entry fees expended, games played and previous line-ups, and prizes awarded;

(11) offer access to account details, including all deposit amounts, withdrawal amounts, and bonus or promotion information, including how much is left on any pending bonus or promotion and how much has been released to the fantasy game player;"

Renumber the clauses in sequence

Page 2, line 11, delete "unauthorized"

Page 2, line 12, delete "an unauthorized" and insert "a"

Page 2, line 20, after the period, insert "Script" means commands that a computer program can execute to automate processes on a game operator's Web site or application."

Page 4, line 5, after the semicolon, insert "and"

Page 4, line 6, delete "; and" and insert a period

Page 4, delete lines 7 and 8

Page 4, line 11, delete "lottery,"

Page 4, line 12, delete everything before "of" and insert "violation"

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

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 2760:** A bill for an act relating to state lands; providing for valuation of bond-financed property; designating state waysides and forests; adding to and deleting from state forests and parks; authorizing sales and exchange of certain state lands; amending Minnesota Statutes 2014, sections 85.013, by adding a subdivision; 89.021, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 94.

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 85.013, is amended by adding a subdivision to read:

Subd. 21c. Saint Croix Boom Site Wayside, Washington County.

Sec. 2. Minnesota Statutes 2014, section 89.021, is amended by adding a subdivision to read:

Subd. 11a. Centennial State Forest.

Sec. 3. Minnesota Statutes 2014, section 92.115, is amended by adding a subdivision to read:

Subd. 3. Closing costs. The purchaser of state land must pay recording fees and the state deed tax.

Sec. 4. Minnesota Statutes 2015 Supplement, section 94.10, subdivision 2, is amended to read:

Subd. 2. **Public sale requirements.** (a) After complying with subdivision 1 and before any public sale of surplus state-owned land is made and at least 30 days before the sale, the commissioner of natural resources shall publish a notice of the sale in a newspaper of general distribution in the county in which the real property to be sold is situated. The notice shall specify the time and place at which the sale will commence, a general description of the lots or tracts to be offered, and a general statement of the terms of sale. The commissioner shall also provide electronic notice of sale.

(b) The minimum bid for a parcel of land must include the estimated value or appraised value of the land and any improvements and, if any of the land is valuable for merchantable timber, the value of the merchantable timber. The minimum bid may include expenses incurred by the commissioner in rendering the property salable, including survey, appraisal, legal, advertising, and other expenses.

(c) The purchaser of state land must pay recording fees and the state deed tax.

~~(e)~~ (d) Except as provided under paragraph ~~(d)~~ (e), parcels remaining unsold after the offering may be sold to anyone agreeing to pay at least 75 percent of the appraised value. The sale shall continue until all parcels are sold or until the commissioner orders a reappraisal or withdraws the remaining parcels from sale.

~~(d)~~ (e) The commissioner may retain the services of a licensed real estate broker to find a buyer for parcels remaining unsold after the offering. The sale price may be negotiated by the broker, but must not be less than 90 percent of the appraised value as determined by the commissioner. The broker's fee must be established by prior agreement between the commissioner and the broker and must not exceed ten percent of the sale price for sales of \$10,000 or more. The broker's fee must be paid to the broker from the proceeds of the sale.

#### Sec. 5. [94.101] VALUATION OF BOND-FINANCED PROPERTY.

Notwithstanding the valuation provisions of sections 16A.695, subdivision 3, and 94.10, subdivision 1, paragraph (a), for the sale of state bond-financed property administered by the commissioner of natural resources, the commissioner may determine the value of such property based on the data specified in section 84.0272, subdivision 3, provided that the value of the property is \$50,000 or less.

Sec. 6. Minnesota Statutes 2014, section 94.3495, subdivision 2, is amended to read:

Subd. 2. **Classes of land; definitions.** (a) The classes of public land that may be involved in an expedited exchange under this section are:

(1) Class 1 land, which for the purpose of this section is Class A land as defined in section 94.342, subdivision 1, ~~except for:~~

~~(i) school trust land as defined in section 92.025; and~~

~~(ii) university land granted to the state by acts of Congress;~~

(2) Class 2 land, which for the purpose of this section is Class B land as defined in section 94.342, subdivision 2; and

(3) Class 3 land, which for the purpose of this section is all land owned in fee by a governmental subdivision of the state.

(b) "School trust land" has the meaning given under section 92.025.

(c) "University land" means land granted to the state by acts of Congress for university purposes.

Sec. 7. Minnesota Statutes 2014, section 94.3495, subdivision 3, is amended to read:

Subd. 3. **Valuation of land.** (a) In an exchange of Class 1 land for Class 2 or 3 land, the value of all the land shall be determined by the commissioner of natural resources, but the county board must approve the value determined for the Class 2 land and the governmental subdivision of the state must approve the value determined for the Class 3 land. In an exchange of Class 2 land for Class 3 land, the value of all the land shall be determined by the county board of the county in which the land lies, but the governmental subdivision of the state must approve the value determined for the Class 3 land.

~~(b) To determine the value of the land, the parties to the exchange may either (1) cause the land to be appraised, utilize the valuation process provided under section 84.0272, subdivision 3, or obtain a market analysis from a qualified real estate broker or (2) determine the value for each forty or lot, or a portion thereof, using the most current township or county assessment schedules for similar land types from the county assessor of the county in which the lands are located. Merchantable timber value must should be determined and considered in finalizing valuation of the lands.~~

~~(b) All~~ (c) Except for school trust lands and university lands, the lands exchanged under this section shall be exchanged only for lands of at least substantially equal value. For the purposes of this subdivision, "substantially equal value" has the meaning given under section 94.343, subdivision 3, paragraph (b). No payment is due either party if the lands, other than school trust lands or university lands, are of substantially equal value but are not of the same value.

(d) School trust lands and university lands exchanged under this section must be exchanged only for lands of equal or greater value.

Sec. 8. Minnesota Statutes 2014, section 94.3495, subdivision 7, is amended to read:

Subd. 7. **Reversionary interest; Mineral and water power rights and other reservations.** ~~(a) All deeds conveying land given in an expedited land exchange under this section shall include a reverter that provides that title to the land automatically reverts to the conveying governmental unit if:~~

~~(1) the receiving governmental unit sells, exchanges, or otherwise transfers title of the land within 40 years of the date of the deed conveying ownership; and~~

~~(2) there is no prior written approval for the transfer from the conveying governmental unit. The authority for granting approval is the commissioner of natural resources for former Class 1 land, the county board for former Class 2 land, and the governing body for former Class 3 land.~~

~~(b) Class 1 land given in exchange is subject to the reservation provisions of section 94.343, subdivision 4. Class 2 land given in exchange is subject to the reservation provisions of section 94.344, subdivision 4. County fee land given in exchange is subject to the reservation provisions of section 373.01, subdivision 1, paragraph (g).~~

Sec. 9. Laws 2012, chapter 236, section 28, subdivision 2, is amended to read:

Subd. 2. **Method of sale.** (a) The leaseholder of a leased parcel may purchase at private sale the leased parcel and any other lands allocated to the parcel by the county under subdivision 6 that is offered for sale under this section. The purchase price is the appraised value of the land under

subdivision 3 exclusive of improvements on it. To purchase a parcel, a leaseholder must pay in cash to the county an amount equal to the appraised value of the land within 180 days from the date of mailing to or service of notice of appraised value to the leaseholder by the county. The 180-day period runs from the date of mailing of a copy of the appraisal to the leaseholder at the address shown upon the most recent lease agreement between the parties, exclusive of the date of mailing or service. The county may use any alternative method of notice under the Minnesota Rules of Civil Procedure for the service of a summons and complaint.

(b) If the leaseholder does not purchase the parcel so offered, the county may offer the lands for sale ~~at public auction~~ under the provisions of Minnesota Statutes, section 282.01, subdivision 3 ~~7~~. If a person other than the leaseholder purchases the parcel, the purchaser must make payment in full to the leaseholder in the manner provided in Minnesota Statutes, section 92.06, subdivision 4, for the value of any improvements as determined under subdivision 3.

(c) Failure of a purchaser to comply with the terms of payment voids the sale and the property may be reoffered for sale.

Sec. 10. Laws 2012, chapter 236, section 28, subdivision 5, is amended to read:

Subd. 5. **Survey.** (a) Prior to offering it for sale, St. Louis County shall have each lot surveyed by a licensed surveyor; with the exception of those lots that do not have adequate survey monumentation as determined by the county surveyor.

(b) The costs of the survey must be allocated by the county to the lots offered for sale and the successful purchaser on each lot shall reimburse the county for the survey costs allocated to the lot purchased. If no one purchases the lot, the county is responsible for the survey costs. All surveying must be conducted by a licensed surveyor.

Sec. 11. Laws 2012, chapter 236, section 28, subdivision 9, is amended to read:

Subd. 9. **Sunset.** This section expires ~~five~~ seven years after the effective date.

Sec. 12. **SAINT CROIX BOOM SITE WAYSIDE.**

The following area is designated as the Saint Croix Boom Site Wayside: that part of Government Lots 2 and 3, Section 15, Township 30 North, Range 20 West, excepting therefrom the westerly 75 feet of Governmental Lot 3, which lies southeasterly of Line 1 described below:

Line 1: Commencing at Government Meander Corner No. 5 on the east line of said Section 15; thence northerly on an azimuth of 01 degree 01 minute 36 seconds along said east line for 50.80 feet to the point of beginning of Line 1 to be described; thence on an azimuth of 222 degrees 13 minutes 44 seconds for 466.01 feet; thence southwesterly for 642.53 feet on a nontangential curve, concave to the northwest, having a radius of 3,769.72 feet, a delta angle of 09 degrees 45 minutes 57 seconds and a chord azimuth of 226 degrees 59 minutes 07 seconds; thence on an azimuth of 231 degrees 44 minutes 30 seconds for 389.72 feet; thence deflect to the left on a tangential curve, having a radius of 904.93 feet and a delta angle of 16 degrees 44 minutes 05 seconds, for 264.31 feet; thence on an azimuth of 215 degrees 00 minutes 25 seconds for 657.38 feet; thence on an azimuth of 305 degrees 00 minutes 25 seconds for 10.00 feet; thence on an azimuth of 215 degrees 00 minutes 25 seconds for 175.86 feet; thence deflect to the right on a tangential curve, having a radius of 612.96 feet and a delta angle of 17 degrees 24 minutes 49 seconds for 186.29 feet; thence on an azimuth of 142 degrees 25 minutes 14 seconds for 10.00 feet; thence westerly for 602.56 feet on a nontangential

curve, concave to the north, having a radius of 622.96 feet, a delta angle of 55 degrees 25 minutes 11 seconds and a chord azimuth of 260 degrees 07 minutes 50 seconds; thence on an azimuth of 287 degrees 50 minutes 26 seconds for 15.80 feet; thence on an azimuth of 197 degrees 50 minutes 26 seconds for 90.00 feet; thence on an azimuth of 287 degrees 50 minutes 26 seconds for 180.02 feet and there terminating.

No access is permitted to Trunk Highway 95 from the lands described above, except that access is permitted between:

(1) points distant 502.82 feet and 562.82 feet easterly of the point of termination of Line 1 described above;

(2) points distant 892.54 feet and 952.54 feet southwesterly of the point of beginning of Line 1 described above;

(3) points distant 1,314.26 feet and 1,374.26 feet southwesterly of the point of beginning of Line 1 described above; and

(4) points distant 1,759.57 and 1,819.57 feet southwesterly of the point of beginning of Line 1 described above.

### Sec. 13. CENTENNIAL STATE FOREST.

The following areas are designated as the Centennial State Forest:

(1) the Northwest Quarter of the Northwest Quarter, Section 4, Township 139 North, Range 27 West;

(2) the North Half of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, and the Northeast Quarter of the Southwest Quarter, Section 5, Township 139 North, Range 27 West;

(3) the Southwest Quarter of the Northeast Quarter and the Southeast Quarter, Section 19, Township 140 North, Range 27 West;

(4) the Northwest Quarter of the Northeast Quarter, the South Half of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, the East Half of the Southwest Quarter, and the Southeast Quarter, Section 20, Township 140 North, Range 27 West;

(5) the North Half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter, Section 27, Township 140 North, Range 27 West;

(6) the South Half of the Northeast Quarter, the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, and the North Half of the Southeast Quarter, Section 28, Township 140 North, Range 27 West;

(7) Section 29, Township 140 North, Range 27 West;

(8) the Northeast Quarter, the Northeast Quarter of the Northwest Quarter, the North Half of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 30, Township 140 North, Range 27 West;

(9) the North Half of the Northeast Quarter, Section 31, Township 140 North, Range 27 West;

(10) the Northeast Quarter, the North Half of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 32, Township 140 North, Range 27 West;

(11) the Southwest Quarter, Section 33, Township 140 North, Range 27 West; and

(12) Section 36, Township 140 North, Range 28 West.

Sec. 14. **DELETION FROM STATE PARKS.**

**[85.012] [Subd. 42] Mille Lacs Kathio State Park, Mille Lacs County.** The following area is deleted from Mille Lacs Kathio State Park: that part of Government Lot 3, Section 33, Township 43 North, Range 27 West, described as follows:

Commencing at the northwest corner of said Government Lot 3, said corner being marked by a 2-1/2 inch aluminum post with brass cap (Bureau of Land Management Monument); thence North 89 degrees 43 minutes 55 seconds East, assumed bearing, along the north line of said Government Lot 3, a distance of 1,076.85 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 43 minutes 55 seconds East, along said north line, a distance of 40.88 feet to a 3/4-inch iron rod with disk stamped MN DNR PROPERTY; thence continuing North 89 degrees 43 minutes 55 seconds East, along said north line, a distance of 299.64 feet to a 3/4-inch rebar with plastic cap stamped MN DNR LS 47461; thence South 14 degrees 26 minutes 27 seconds East, a distance of 170.18 feet to a 3/4-inch iron rod with disk stamped MN DNR PROPERTY; thence South 89 degrees 43 minutes 55 seconds West, a distance of 413.14 feet to a 3/4-inch iron rod; thence continuing South 89 degrees 43 minutes 55 seconds West, a distance of 10.50 feet; thence North 07 degrees 53 minutes 17 seconds East, a distance of 70.68 feet; thence North 18 degrees 01 minute 43 seconds East, a distance of 100.09 feet to the point of beginning. Containing 1.46 acres, more or less.

Sec. 15. **ADDITIONS TO STATE FORESTS.**

Subdivision 1. [89.021] [Subd. 4.] Bear Island State Forest. The following area is added to the Bear Island State Forest: all of Township 62 North, Range 12 West.

Subd. 2. [89.021] [Subd. 13.] Cloquet Valley State Forest. The following areas are added to the Cloquet Valley State Forest:

(1) Sections 17 to 20 and 29 to 32, Township 54 North, Range 16 West;

(2) Sections 2 to 11, 15 to 23, and 26 to 35, Township 53 North, Range 17 West;

(3) Sections 13 to 35, Township 54 North, Range 17 West;

(4) Section 36, Township 53 North, Range 18 West; and

(5) Section 36, Township 54 North, Range 18 West.

Subd. 3. [89.021] [Subd. 27.] Kabetogama State Forest. The following areas are added to the Kabetogama State Forest:

(1) Sections 2 and 3, Township 62 North, Range 19 West; and

(2) Sections 6 and 7, Township 63 North, Range 21 West.

Subd. 4. [89.021] [Subd. 50.] Sturgeon River State Forest. The following area is added to the Sturgeon River State Forest: all of Township 60 North, Range 20 West.



Subd. 5. **[89.021] [Subd. 55.] Whiteface River State Forest.** The following area is added to the Whiteface River State Forest: the Southeast Quarter of the Southeast Quarter, Section 11, Township 56 North, Range 19 West.

**Sec. 16. EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND KOOCHICHING COUNTIES.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, and subject to the valuation restrictions described in paragraph (c), the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the state-owned land leased for farming wild rice described in paragraph (b).

(b) The state land that may be exchanged is held under the following state leases for farming of wild rice:

- (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;
- (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;
- (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and
- (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

(c) For the appraisal of the land, no improvements paid for by the lessee shall be included in the estimate of market value.

(d) Additional adjoining state lands may be added to the exchanges if mutually agreed upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels of land in state ownership after an exchange or to meet county zoning standards or other regulatory needs for the wild rice farming operations.

(e) The state land administered by the commissioner of natural resources in Koochiching County borders the Lost River. The lands to be exchanged are not required to provide at least equal opportunity for access to waters by the public, but the lands must be at least equal in value and have the potential to generate revenue for the school trust lands.

**Sec. 17. RELEASE OF REVERSIONARY INTEREST; ANOKA COUNTY LAND TRANSFER.**

(a) Notwithstanding Laws 1998, chapter 407, article 7, section 1, subdivision 2, paragraph (c), or other law to the contrary, the state shall extinguish the state's reversionary interest in land transferred by deeds according to paragraph (b), and release Anoka County from the requirement to use the land for governmental purposes. The release must be by quit claim deed, for no consideration, in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(b) This section applies to land transferred:

(1) by quit claim deed dated December 21, 2000, recorded on December 26, 2000, as Anoka County Recorder Document No. 1541488, conveying the following described property: all that part of Government Lot 1, Section 6, Township 31, Range 24 West, Anoka County, Minnesota, described

as follows: Beginning at the northeast corner of said Government Lot 1, Section 6; thence South 00 degrees 51 minutes 13 seconds West along the east line of said Government Lot 1 a distance of 84.79 feet; thence South 45 degrees 51 minutes 25 seconds West 153.51 feet; thence South 89 degrees 08 minutes 19 seconds West to the southeasterly shoreline of the Rum River; thence northeasterly along said shoreline to the north line of said Government Lot 1; thence easterly along said north line of Government Lot 1 to the point of beginning. AND all that part of Government Lot 4 and that part of the Southeast Quarter of the Southwest Quarter, all in Section 31; Township 32, Range 24, Anoka County, Minnesota, described as follows: Beginning at the southwest corner of said Southeast Quarter of the Southwest Quarter of Section 31; thence North 13 degrees 16 minutes 11 seconds East 473.34 feet; thence North 07 degrees 54 minutes 43 seconds East 186.87 feet; thence North 14 degrees 08 minutes 33 seconds West 154.77 feet; thence North 62 degrees 46 minutes 44 seconds West 567.69 feet; thence South 27 degrees 01 minutes 08 seconds West 182.54 feet; thence North 57 degrees 22 minutes 29 seconds West to the southeasterly shoreline of the Rum River; thence southwesterly along said shoreline to the south line of said Government Lot 4; thence easterly along said south line of Government Lot 4 to the point of beginning. For the purpose of these descriptions, the south line of said Southeast Quarter of the Southwest Quarter of Section 31 has an assumed bearing of North 89 degrees 08 minutes 19 seconds East; and

(2) by quit claim deed dated July 18, 2012, recorded on July 24, 2012, as Anoka County Recorder Document No. 2036093.001, conveying the following described property: that part of Government Lot 3 and Government Lot 4, Section 31, Township 32, Range 24, Anoka County, Minnesota, described as follows: Commencing at the southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 31; thence North 13 degrees 16 minutes 11 seconds East 473.34 feet; thence North 07 degrees 54 minutes 43 seconds East 186.87 feet; thence North 14 degrees 08 minutes 33 seconds West 154.77 feet; thence North 62 degrees 46 minutes 44 seconds West 567.69 feet; thence South 27 degrees 01 minutes 08 seconds West 182.54 feet to the point of beginning of the land to be described; thence North 27 degrees 01 minutes 08 seconds East 182.54 feet; thence South 62 degrees 46 minutes 44 seconds East 40.77 feet; thence North 25 degrees 45 minutes 30 seconds East 74.43 feet; thence northerly 88.30 feet along a tangential curve concave to the West having a radius of 186.15 feet and a central angle of 27 degrees 10 minutes 50 seconds; thence North 01 degrees 25 minutes 20 seconds West, tangent to said curve, 140.53 feet; thence North 71 degrees 56 minutes 34 seconds West to the southeasterly shoreline of the Rum River; thence southwesterly along said shoreline to its intersection with a line bearing North 57 degrees 22 minutes 29 seconds West from the point of beginning; thence South 57 degrees 22 minutes 29 seconds East to the point of beginning.

(c) Anoka County has determined that the county's land management interests would best be served by entering a long-term lease to use the land for veterans housing.

**Sec. 18. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; BELTRAMI COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Beltrami County may sell the tax-forfeited lands described in paragraph (c) by public sale, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The lands to be sold are located in Beltrami County and are described as:

(1) PID No. 15.00136.00;

(2) PID No. 46.00182.00;

(3) PID No. 48.00169.00;

(4) PID No. 80.06391.00;

(5) PID No. 49.00516.00;

(6) PID No. 49.00522.00; and

(7) PID No. 49.00523.00.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 19. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND; BELTRAMI COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, sections 282.221 to 282.226, the commissioner of natural resources may sell by private sale the consolidated conservation land that is described in paragraph (c).

(b) For the appraisal of the land, no improvements paid for by the wild rice farming lessee shall be included in the estimate of market value.

(c) The land that may be sold is located in Beltrami County and is described as:

(1) The Southeast Quarter of the Northwest Quarter of the Southwest Quarter and the South 150 feet of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter and the east 150 feet of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter, Section 33, Township 155 North, Range 30 West; and

(2) The Northwest Quarter of the Southeast Quarter of the Southwest Quarter and that part of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter, Section 33, Township 155 North, Range 30 West, described as follows:

Beginning at the northwest corner of said Northeast Quarter of the Southeast Quarter of the Southwest Quarter; thence South 89 degrees 56 minutes East, assumed bearing, 660 feet along the north line of said Northeast Quarter to the east line of said Northeast Quarter; thence South 00 degrees 45 minutes East 50 feet along said east line; thence South 57 degrees 48 minutes West 772 feet to a point on the west line of said Northeast Quarter which is 462 feet south from the point of beginning; thence North 00 degrees 31 minutes West 462 feet along the west line to the point of beginning.

Containing 28.4 acres, more or less.

(d) Additional adjoining state lands may be added to the sale if mutually agreed upon by the commissioner and the buyer to avoid leaving unmanageable parcels of land in state ownership after the sale or to meet county zoning standards or other regulatory needs for the wild rice farming operations. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(e) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were returned to private ownership for continued use in wild rice cultivation.

(f) Notwithstanding Minnesota Statutes, sections 84A.03, 84A.51, and 282.226, the proceeds from the sale shall first be applied to reimburse the commissioner for the sale costs and expenses of the parcel under this section and the land exchange costs and expenses for the land leased for wild rice farming operations exchanged under section 16. The remaining proceeds are to be distributed as provided by law.

**Sec. 20. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, Beltrami County may sell tax-forfeited land described in paragraph (c) to an adjoining landowner, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Beltrami County and is described as: PID No. 30.00119.01.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 21. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CARVER COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Carver County may convey the tax-forfeited land bordering public water that is described in paragraph (c) to Carver County for less than the assessed market value as determined by the county board.

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if Carver County stops using the land for the public purpose described in paragraph (d). The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Carver County and is described as: Outlot B, Tuscany Village, city of Watertown (PID 85.4450550).

(d) Carver County has determined that the land is needed by the county for public use, which may include but is not limited to open space, trails, or a wetland bank restoration project according to Minnesota Statutes, sections 103G.222 to 103G.2243, in which a conditional use deed or deed restrictions may be recorded.

**Sec. 22. CONVEYANCE OF TAX-FORFEITED LAND; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 282.01, subdivision 1a, and the public sale provisions of Minnesota Statutes, chapter 282, Cass County shall convey to the city of Pillager for no consideration the tax-forfeited lands that are described in paragraph (c).

(b) The city of Pillager shall initiate the conveyance by application to the Cass County Board. The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be conveyed are located in Cass County and are described as:

(1) the East Half of the Northwest Quarter of Section 17, Township 133, Range 30, less that part lying North of State Highway 210 and also less that part of the Southeast Quarter of the Northwest Quarter, Section 17, Township 133, Range 30, described as follows: Beginning at the southeast corner of said Southeast Quarter of the Northwest Quarter; thence North along the east line of said Southeast Quarter of the Northwest Quarter a distance of 815 feet; thence North 87 degrees 30 minutes West a distance of 740 feet; thence South 783.7 feet to the south line of the Southeast Quarter of the Northwest Quarter; thence South 89 degrees 21 minutes East a distance of 740 feet to the point of beginning. Also less that part platted as The Crossing, on file and of record in the Office of the County Recorder in and for Cass County, Minnesota (parcel 93-217-2403);

(2) Lot 3, Block 3, The Crossing (parcel 93-352-0315);

(3) Lot 5, Block 3, The Crossing (parcel 93-352-0325);

(4) Lot 6, Block 3, The Crossing (parcel 93-352-0330);

(5) Lot 7, Block 3, The Crossing (parcel 93-352-0335);

(6) Lot 3, Block 7, The Crossing (parcel 93-352-0715);

(7) Lot 4, Block 7, The Crossing (parcel 93-352-0720); and

(8) that part of the Northeast Quarter of the Southwest Quarter, Section 17, Township 133, Range 30, described as follows: Beginning at the northeast corner of the Northeast Quarter of the Southwest Quarter, Section 17, Township 133, Range 30; thence south along the east line of said 40 a distance of 624 feet; thence North 89 degrees 16 minutes West a distance of 264 feet; thence North 31 degrees 14 minutes West a distance of 231 feet; thence North 4 degrees 14 minutes West a distance of 429.5 feet to the north line of Northeast Quarter of the Southwest Quarter; thence South 89 degrees 21 minutes East a distance of 415 feet to the point of beginning, containing 5.37 acres more or less, and less right-of-way for public road along east line (parcel 93-217-3101).

**Sec. 23. PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c). Before proceeding with the sale, the commissioner must acquire easement or fee interests for the alternative Tower Hill alignment of the Heartland State Trail.

(b) The commissioner may sell the land to a local homeowners association at the value offered in 1988, as adjusted for inflation by the implicit price deflator for government consumption expenditures and gross investment for state and local governments prepared by the Bureau of Economic Analysis of the United States Department of Commerce, plus sale costs. The commissioner may make changes to the land description to correct errors and ensure accuracy.

(c) The lands to be sold are located in Cass County and are described as:

(1) that part of the former Burlington Northern Railroad located in Government Lot 5, Section 9, Township 143 North, Range 31 West of the Fifth Principal Meridian, Cass County, Minnesota, which lies northerly of the south line of said Government Lot 5 and southerly of the centerline of Cove Drive Northwest as it existed in 2013;

(2) a strip of land 100.00 feet in width extending over and across Government Lots 1, 2, 3, 4, and 5 and the Southwest Quarter of the Southwest Quarter, Section 16, Township 143 North, Range 31 West of the Fifth Principal Meridian, Cass County, Minnesota, said strip of land being 50.00 feet on each side of the centerline of the main track (now removed) of the former Burlington Northern Railroad as originally located and established;

(3) that part of Government Lot 1, Section 21, Township 143 North, Range 31 West of the Fifth Principal Meridian, Cass County, Minnesota, which lies within the former Burlington Northern Railroad right-of-way;

(4) a strip of land 100.00 feet in width that lies across Government Lot 1, Section 20, Township 143 North, Range 31 West of the Fifth Principal Meridian, Cass County, Minnesota, said strip of land being 50.00 feet in width on each side of the centerline of the main track (now removed) of the former Burlington Northern Railroad, and which lies northeasterly of the following described line:

Commencing at the northeast corner of said Government Lot 1; thence North 89 degrees 14 minutes 06 seconds West, assumed bearing along the north line thereof 924.84 feet to the easterly right-of-way line of the Heartland Trail; thence southwesterly 350.93 feet along said right-of-way line, along a nontangential curve concave to the southeast having a radius of 5,529.58 feet, a central angle of 3 degrees 38 minutes 10 seconds and chord bears South 32 degrees 20 minutes 19 seconds West for a chord distance of 350.87 feet; thence South 89 degrees 14 minutes 06 seconds East not tangent to said curve 608.55 feet to the northwesterly right-of-way of the former Burlington Northern Railroad; thence southwesterly 131.12 feet along last said right-of-way, along a nontangential curve concave to the southeast, having a radius of 3,869.83 feet, a central angle of 1 degree 56 minutes 29 seconds and a chord bearing of South 53 degrees 10 minutes 19 seconds West for a chord distance of 131.11 feet and to the point of beginning of the line to be described; thence South 50 degrees 47 minutes 19 seconds East, a distance of 102.74 feet to the intersection of the southeasterly right-of-way of said former Burlington Northern Railroad and there terminating; and

(5) that part of Government Lot 1, Section 20, Township 143 North, Range 31 West, Cass County, Minnesota, described as follows:

Commencing at the northeast corner of said Government Lot 1; thence North 89 degrees 14 minutes 06 seconds West assumed bearing along the north line thereof 924.84 feet to the easterly right-of-way of the Heartland Trail; thence southwesterly 350.93 feet along said right-of-way line, along a nontangential curve concave to the southeast having a radius of 5,529.58 feet, a central angle of 3 degrees 38 minutes 10 seconds and the chord bears South 32 degrees 20 minutes 19 seconds West for a chord distance of 350.87 feet to the point of beginning of the tract to be herein described; thence South 89 degrees 14 minutes 06 seconds East not tangent to said curve 608.55 feet to the northwesterly right-of-way of the former Burlington Northern Railroad; thence southwesterly 131.12 feet along last said right-of-way, along a nontangential curve concave to the southeast, having a radius of 3,869.83 feet, a central angle of 1 degree 56 minutes 29 seconds and a chord bearing of South 53 degrees 10 minutes 19 seconds West for a chord distance of 131.11 feet; thence North 89 degrees 14 minutes 06 seconds West not tangent to last said curve 549.52 feet to said right-of-way of Heartland Trail; thence northeasterly 91.72 feet along last said right-of-way along a nontangential

curve concave to the southeast, having a radius of 5,529.58 feet, a central angle of 0 degrees 57 minutes 01 second and the chord bears North 30 degrees 02 minutes 43 seconds East for a chord distance of 91.72 feet to the point of beginning.

(d) The Department of Natural Resources has determined that the Steamboat Loop of the Heartland State Trail is not needed for natural resource purposes after control of the alternative Tower Hill alignment and that the state's land management interests would best be served if the lands were then conveyed to a local homeowners association.

**Sec. 24. PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CLEARWATER COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by public or private sale the surplus land bordering public water that is described in paragraph (c).

(b) The commissioner may sell the portion of the land that consists of a road right-of-way to a local unit of government for less than the value of the land as determined by the commissioner, but the conveyance must provide that the portion of the land described in paragraph (c) that is a road right-of-way be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Clearwater County and is described as: that part of Government Lot 2, Section 27, Township 149 North, Range 38 West, described as follows:

Commencing at a point on the east shore of Pine Lake where the same intersects the road running east and west; thence, easterly along the south shoulder of said road for about 465 feet to the center of State-Aid Road No. 7; thence north along said State-Aid Road No. 7, for a distance of 100 feet; thence westerly for about 465 feet to the shore of Pine Lake; thence, southerly along the shore of said lake for 100 feet to the point of beginning, and being a part of Lot 22 of Spruce Grove Park plat.

Containing 1.19 acres, more or less, and subject to 33-foot-wide platted road dedicated to public use.

(d) The land borders Pine Lake. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private or public ownership.

**Sec. 25. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CROW WING COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Crow Wing County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Crow Wing County and is described as:

(1) Outlet A, Forthun Park Third Addition, city of Baxter, Section 7, Township 133, Range 28 (PIN 0336300090A0009);

(2) Lot 33, Block 6, Hamlet Shores, Deerwood Township, Section 26, Township 46, Range 28 (PIN 591110060330009); and

(3) the Northwest Quarter of the Southeast Quarter, Bay Lake Township, Section 9, Township 45, Range 28 (PIN 500094200000009).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 26. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; GRANT COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Grant County may sell the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in Grant County and is described as:

(1) that part of Section 13, Township 127, Range 44, commencing at a point on the southeasterly line of Third Street where the southwesterly line of Vienna Avenue would intersect, if extended, in the city of Herman, according to the plat thereof; thence southeasterly along the southwesterly line of Vienna Avenue, if extended, to the lake; thence following the shore of said lake to the point where it would be intersected by the southeasterly line of Third Street in said city; thence northeasterly along said southeasterly line of Third Street to the point of beginning (parcel number 20-0420-000);

(2) a part of Government Lot 1, Section 11, Township 128 North, Range 41 West of the 5th P.M. and being more particularly described as follows, to-wit: To find the point of beginning commence at the northeast corner of said Section 11; thence on an assumed bearing of South and along the east line of said Section 11 a distance of 33.0 feet; thence South 42 degrees 31 feet West 157.78 ft. to the point of beginning; thence from the point of beginning South 29 degrees 04 feet West 687.4 ft.; South 79 degrees 50 feet West 559.0 ft. more or less to the intersection with the water line of Peterson Lake; thence northwesterly and northeasterly and following along the water line of said Peterson Lake to the intersection with the north line of said Section 11; thence easterly and along said north line 754.4 ft. more or less to the intersection with a line drawn North from the point of beginning; thence South and along said line 117.0 ft. more or less to the point of beginning, subject to existing road easements of record (parcel number 03-0090-000); and

(3) Lot 6, Sunnyside Camp, Barrett, Minnesota, according to a plat thereof on file in the register of deed office in and for the County of Grant, State of Minnesota (parcel number 18-0129-000).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 27. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Itasca County may sell the tax-forfeited land bordering public water described in paragraph (c) by public sale under the remaining provisions of Minnesota Statutes, chapter 282.



(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Itasca County and is described as: PID No. 26-020-2206.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 28. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may sell the tax-forfeited land bordering public water described in paragraph (c) to an adjoining landowner under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Itasca County and is described as: PID No. 26-004-3202.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 29. PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may sell tax-forfeited land described in paragraph (c) to an adjoining landowner under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Itasca County and is described as: PID No. 91-019-3316.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 30. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; KANDIYOHI COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Kandiyohi County may sell the tax-forfeited lands bordering public water described in paragraph (c) by public sale under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Kandiyohi County and described as:

(1) PID No. 27-029-0025;

(2) PID No. 16-033-0050; and

(3) PID No. 17-026-0120.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 31. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Lake County may sell the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to each sale, the commissioner of revenue must grant a permanent conservation easement according to Minnesota Statutes, section 282.37. The easements must be 75 feet in width on each side of the designated trout stream, to provide riparian protection and angler access.

(c) The land to be sold is located in Lake County and is described as:

(1) the Southwest Quarter of the Northwest Quarter, Section 10, Township 53, Range 11 (PID 25-5311-10370);

(2) the North 726 feet of the West 600 feet of the Northwest Quarter of the Southwest Quarter, except the West 200 feet South of County Road 6, Section 24, Township 57, Range 7 (PID 27-5707-24560); and

(3) the Southwest Quarter of the Northwest Quarter, Section 18, Township 54, Range 10 (PID 29-5410-18370).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 32. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Lake County may sell the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Lake County and is described as: part of the Northeast Quarter of the Southwest Quarter, Section 34, Township 55, Range 11 (PID 25-5511-34525).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 33. PRIVATE SALE OF TAX-FORFEITED LAND; LAKE COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Lake County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The parcel in paragraph (c), clause (1), may be sold for less than the appraised value of the land. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in Lake County and is described as:

(1) Lot 11, Block 4, 1st Division, Silver Bay (PID 22-7440-04110); and

(2) the West 150 feet of the South Half of the Southeast Quarter of the Northeast Quarter, Section 24, Township 55, Range 9 (part of PID 29-5509-24190).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 34. EXCHANGE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, Lake County may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land bordering public water described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be exchanged is located in Lake County and is described as: the Northwest Quarter of the Southeast Quarter, Section 32, Township 64, Range 9 (PID 28-6409-32790).

(d) The county has determined that the county's land management interests would best be served if the land was exchanged for a private parcel.

**Sec. 35. EXCHANGE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, Lake County may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land bordering public water described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. Prior to the exchange, the commissioner of revenue must grant a permanent conservation easement according to Minnesota Statutes, section 282.37, to provide for a 50-foot trail toward Camp Lake.

(c) The land that may be exchanged is located in Lake County and is described as: the Northeast Quarter of the Northeast Quarter, Section 32, Township 64, Range 11 (PID 28-6411-32010).

(d) The county has determined that the county's land management interests would best be served if the land was exchanged for a private parcel.

**Sec. 36. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND; LAKE OF THE WOODS COUNTY.**

(a) Notwithstanding the classification and public sale provisions of Minnesota Statutes, sections 84A.27 and 282.14 to 282.22, the commissioner of natural resources may sell by private sale the consolidated conservation land that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Lake of the Woods County and is described as: the South Half of the Southeast Quarter, Section 14, Township 160 North, Range 31 West, containing 80 acres, more or less.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were returned to local government or private ownership.

**Sec. 37. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; LAKE OF THE WOODS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The commissioner may sell the land to a local unit of government for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land. The conveyance is subject to existing rights of a county road easement, water and land crossing utility licenses, a grant-in-aid trail permit, and a lease to the county for an immigration videophone site. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Lake of the Woods County and is described as: the Southwest Quarter, Section 28, Township 168 North, Range 34 West, containing 160 acres, more or less.

(d) The land is adjacent to the Northwest Angle Inlet of Lake of the Woods. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government for a public park and other public use.

**Sec. 38. PRIVATE SALE OF SURPLUS LAND; MILLE LACS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The land must not be sold for less than the appraised value. The buyer must reimburse the commissioner for all costs and expenses, including staff costs, incurred by the commissioner in making the property salable and in selling the property. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Mille Lacs County and is described as: that part of Government Lot 3, Section 33, Township 43 North, Range 27 West, described as follows:

Commencing at the northwest corner of said Government Lot 3, said corner being marked by a 2-1/2 inch aluminum post with brass cap (Bureau of Land Management Monument); thence North 89 degrees 43 minutes 55 seconds East, assumed bearing, along the north line of said Government Lot 3, a distance of 1,076.85 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 43 minutes 55 seconds East, along said north line, a distance of 40.88 feet to a 3/4-inch iron rod with disk stamped MN DNR PROPERTY; thence continuing North 89 degrees 43 minutes 55 seconds East, along said north line, a distance of 299.64 feet to a 3/4-inch rebar with plastic cap stamped MN DNR LS 47461; thence South 14 degrees 26 minutes 27 seconds East, a distance of 170.18 feet to a 3/4-inch iron rod with disk stamped MN DNR PROPERTY; thence South 89 degrees 43 minutes 55 seconds West, a distance of 413.14 feet to a 3/4-inch iron rod; thence continuing South 89 degrees 43 minutes 55 seconds West, a distance of 10.50 feet; thence North 07 degrees 53 minutes 17 seconds East, a distance of 70.68 feet; thence North 18 degrees 01 minute 43 seconds East, a distance of 100.09 feet to the point of beginning. Containing 1.46 acres, more or less.

(d) The land to be sold is part of a parcel that, as purchased by the state, borders on Mille Lacs Lake. The shoreline and at least 75 feet west of the shoreline will be retained by the state for natural resource purposes. The Department of Natural Resources has determined that the state's land management interests would best be served if the land to be sold were conveyed for use in the expansion of an existing cemetery.

**Sec. 39. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; OLMSTED COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The commissioner may sell the land to a local unit of government for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Olmsted County and is described as: that part of Lot 9 of State Subdivision of Section 16, Township 105 North, Range 13 West, lying north of the North Branch of the Root River. Containing 1.56 acres, more or less.

(d) The land borders the North Branch of the Root River and the Root River County Park. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was conveyed to a local unit of government and used for public park purposes.

**Sec. 40. PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell under the remaining provisions of Minnesota Statutes, chapter 282, unleased tax-forfeited lakeshore lots that were surveyed at the time leased tax-forfeited lakeshore lots were surveyed pursuant to Laws 2012, chapter 236, section 28.

(b) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership or conveyed to public entities.

**Sec. 41. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval of the Land Exchange Board, as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land described in paragraph (c).

(b) The conveyance must be in the form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The state lands that may be conveyed are located in St. Louis County and are described as:

(1) Section 3, Township 54 North, Range 18 West; and

(2) Sections 4 and 9, Township 55 North, Range 18 West.

**Sec. 42. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

(b) The state land that may be exchanged is located in St. Louis County and is described as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

(c) The state land administered by the commissioner of natural resources borders Low Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface River. While the land does not provide at least equal opportunity for access to waters by the public, the land to be acquired by the commissioner in the exchange will improve access to adjacent state forest lands.

**Sec. 43. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37, for the lands described in paragraph (c), clauses (5) and (6). An easement for each of the lands described in paragraph (c), clauses (5) and (6), shall be 75 feet from water's edge to provide riparian protection and access for anglers and for management by the Department of Natural Resources.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lot 1, including vacated avenue and part of adjacent street, Fond Du Lac, First Street, city of Duluth, Section 7, Township 48, Range 15 (PID 010-1590-00010);

(2) Lot 3, including vacated avenue and part of adjacent street, Fond Du Lac, First Street, city of Duluth, Section 7, Township 48, Range 15 (PID 010-1590-00020);

(3) Lot 5, including vacated avenue and part of adjacent street, Fond Du Lac, First Street, city of Duluth, Section 7, Township 48, Range 15 (PID 010-1590-00030);

(4) that part of Lot 1 lying south of the Fond Du Lac Road, city of Duluth, Section 7, Township 48, Range 15 (PID 010-2730-00890);

(5) that part of the easterly 260 feet of Lot 1 lying south of the Whiteface River, town of Cotton, Section 12, Township 54, Range 17 (PID 305-0020-02158);

(6) Lot 1, except the southerly 1,120 feet, town of Cotton, Section 13, Township 54, Range 17 (PID 305-0020-02168);

(7) Outlot B, Rest Haven Beach, town of Gnesen, Section 36, Township 52, Range 14 (PID 375-0060-01270);

(8) Lot 6, town of Ness, Section 7, Township 52, Range 19 (PID 470-0010-01130);

(9) Lot 7, except the railway right-of-way, 2.65 acres, town of Brevator, Section 16, Township 50, Range 17 (PID 275-0013-01310);

(10) Lot 6, except the railway right-of-way, 3.17 acres, town of Brevator, Section 16, Township 50, Range 17 (PID 275-0013-01260);

(11) that part of Lot 8 lying between the Great Northern railway right-of-way and the bank of the St. Louis River, town of Brevator, Section 17, Township 50, Range 17 (PID 275-0014-00070);

(12) Lot 1 South of the St. Louis River, except the railway right-of-way and except the easterly 375 feet and except the westerly 335 feet of the easterly 710 feet North of the railway right-of-way, town of Arrowhead, Section 27, Township 51, Range 19 (PID 225-0070-00010);

(13) Lot 2 South of the St. Louis River, except the railway right-of-way, 3.13 acres, town of Arrowhead, Section 26, Township 51, Range 19 (PID 225-0050-00010);

(14) Lot 4 South of the St. Louis River, except 2 acres for county road and except the railway right-of-way, 3.03 acres, town of Arrowhead, Section 25, Township 51, Range 19 (PID 225-0030-00020);

(15) Lot 3 South of the St. Louis River, except the railway right-of-way, 3.02 acres, town of Arrowhead, Section 25, Township 51, Range 19 (PID 225-0030-00010);

(16) Lot 2, except the railway right-of-way, 1.70 acres, town of Stoney Brook, Section 12, Township 50, Range 18 (PID 535-0010-01800);

(17) an undivided 824/68040 interest in Lot 8, except the railway right-of-way, an undivided 525/68040 interest in Lot 8, except the railway right-of-way, and an undivided 1/3402 interest in Lot 8, except the railway right-of-way, town of Culver, Section 28, Township 51, Range 18 (PIDs 310-0010-04620, 310-0010-04622, and 310-0010-04623);

(18) the Southwest Quarter of the Northeast Quarter lying East of Stoneybrook, Section 9, Township 50, Range 18 (PID 535-0010-01340);

(19) the Northwest Quarter of the Northeast Quarter lying South and East of Stoneybrook, Section 9, Township 50, Range 18 (PID 535-0010-01330);

(20) the South Half of the Southwest Quarter, Section 9, Township 50, Range 18 (PID 535-0010-01420); and

(21) the Northwest Quarter of the Northeast Quarter, Section 16, Township 50, Range 18 (PID 535-0010-02470).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 44. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37, for the lands described in paragraph (c), clauses (1), (2), (3), (6), and (12). An easement for the lands described in paragraph (c), clause (1), shall be 75 feet northerly of the centerline of the stream and 75 feet southerly of the centerline of the stream to the road right-of-way, except the west 33 feet, to provide riparian protection and access for anglers and for management by the Department of Natural Resources. An easement for the lands described in paragraph (c), clauses (2) and (3), shall be the south 150 feet lying west of County Road 48, to provide riparian protection and access for anglers and for management by the Department of Natural Resources. An easement for the lands described in paragraph (c), clause (6), shall be 75 feet westerly of the centerline of the stream and 75 feet easterly of the centerline of the stream, to provide riparian protection and access for anglers and for management by the Department of Natural Resources. An easement for the lands described in paragraph (c), clause (12), shall be 75 feet from water's edge, to provide riparian protection and access for anglers and for management by the Department of Natural Resources.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the West Half of the West Half of the Northwest Quarter of the Southeast Quarter, Section 5, Township 50, Range 14 (PID 010-2710-01450);

(2) the Southwest Quarter of the Southeast Quarter, town of Canosia, Section 22, Township 51, Range 15 (PID 280-0014-00220);

(3) the Southeast Quarter of the Southeast Quarter, town of Canosia, Section 22, Township 51, Range 15 (PID 280-0014-00230);

(4) Lots 54, 55, and 56, Lalonde Beach, town of Fairbanks, Section 6, Township 56, Range 12 (PID 335-0050-00530);



(5) Lots 1 and 2, Sunnyside Park, town of Fine Lakes, Section 19, Township 50, Range 20 (PID 355-0030-00010);

(6) the Southwest Quarter of the Southwest Quarter, town of Fredenberg, Section 10, Township 52, Range 15 (PID 365-0010-01640);

(7) the East Half of the Southwest Quarter of the Southeast Quarter, except the railway right-of-way, 1.52 acres, town of Great Scott, Section 35, Township 58, Range 19 (PID 385-0010-04210);

(8) that part of the East Half of the Northeast Quarter lying West of the railway right-of-way and North of the river, except the easterly 800 feet, town of Meadowlands, Section 15, Township 53, Range 18 (PID 440-0020-02103);

(9) Government Lot 3, Section 5, Township 62, Range 13 (PID 465-0030-00770);

(10) Government Lot 4, Section 5, Township 62, Range 13 (PID 465-0030-00780);

(11) the South Half of the Southeast Quarter of the Southeast Quarter, town of Waasa, Section 13, Township 60, Range 14 (PID 565-0010-02060); and

(12) the North 5 acres of Lot 2, Fredenberg, Section 21, Township 52, Range 15 (PID 365-0010-03680).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 45. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lot 7, Block 98, Neville Addition to Eveleth (PID 040-0145-01020);

(2) the northerly 550 feet of the Northeast Quarter of the Northeast Quarter, town of Colvin, Section 21, Township 56, Range 15 (PID 300-0010-03322);

(3) Lot 8, Rearrangement Block 10, Ridgewood, city of Virginia, Section 18, Township 58, Range 17 (PID 090-0145-00080);

(4) Lot 2, Block 4, Roosevelt Addition to Hibbing, city of Hibbing, Section 13, Township 57, Range 21 (PID 140-0200-00960);

(5) the West 250 feet of the Southeast Quarter of the Southeast Quarter, Section 34, Township 56, Range 17 (PID 690-0010-05735);

(6) that part of the Southeast Quarter which lies easterly, southerly, and westerly of the following described line: commencing at the southeast corner of said Section 27; thence North 89 degrees 35 minutes 54 seconds West, assigned bearing, along the south line of said Section 27 1,786.84 feet to

the point of beginning of the line to be described; thence North 15 degrees 17 minutes 23 seconds West 55.43 feet; thence North 80 degrees 58 minutes 22 seconds East 239.79 feet; thence North 42 degrees 41 minutes 33 seconds East 40.47 feet to the southerly right-of-way line of North Water Hen Road as described in documents numbered 0625886, 0575529, and 0571492; thence easterly along said southerly right-of-way of North Water Hen Road to said south line of Section 27 and said line there terminating, town of Ellsburg, Section 27, Township 55, Range 16 (PID 302-0010-04460);

(7) Lot 10, except the East 10 feet, Block 2, city of Aurora, Section 9, Township 58, Range 15 (PID 100-0030-00340); and

(8) all or part of Lot 4, except 2.71 acres for road, town of Linden Grove, Section 2, Township 62, Range 20 (PID 430-0010-00220).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 46. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; SCOTT COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Scott County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Scott County and is described as: Lot 2, Block 5, Timber Trails (PID No. 270610360).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 47. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WABASHA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Wabasha County may sell by public or private sale the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Wabasha County, parcel R22.01851.00, and is described as:

Outlot F, Eaglewood Estates First Addition to the City of Lake City, according to the plat thereof on file and of record in the Office of the Registrar of Titles, Wabasha County, Minnesota. Excepting Therefrom: That part of Outlot F, Eaglewood Estates First Addition, Lying within Eaglewood Estates Second Addition, according to the plat on file and of record in the Office of the Registrar of Titles, Wabasha County, Minnesota. Also Excepting Therefrom: That part of said Outlot F that lies Northerly of the following described line: Beginning at the Northwest corner of Lot 6, Block 2, Eaglewood Estates Second Addition; thence westerly to a point on the westerly

line of said Outlot F, distant 361.58 feet southerly of the Northwest corner of said Outlot F and there terminating.

(d) The county has determined that the county's land management interest would best be served if the land was returned to private ownership.

Sec. 48. **EFFECTIVE DATE.**

This act is effective the day following final enactment."

Amend the title accordingly

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

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 2380:** A bill for an act relating to drainage; modifying drainage system repair procedures; amending Minnesota Statutes 2014, section 103E.715, subdivision 4.

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

Page 1, after line 22, insert:

"EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 2. **REPORT.**

By February 1, 2017, the drainage work group, created under Minnesota Statutes, section 103B.101, subdivision 13, shall report to the legislature on changes to Minnesota Statutes, chapter 103E, to more efficiently accomplish the updating of benefits and any related measures to accomplish prudent management of public drainage systems."

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "requiring a report;"

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Agriculture and Rural Development. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 3376:** A bill for an act relating to environment; providing for sulfate effluent permit compliance.

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

Page 1, line 5, before "This" insert "(a)"

Page 1, after line 14, insert:

"(b) Nothing in this section shall relieve the permittee from its obligation to satisfy requirements contained in any schedule of compliance that is in effect as of May 1, 2016."

And when so amended the bill be reported to the Senate without recommendation. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Environment and Energy, to which was referred**

**S.F. No. 2775:** A bill for an act relating to state lands; authorizing Meeker County auditor to exercise rights of unit owner in common interest community on behalf of state.

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

Page 1, line 9, after "sections" insert "515B.2-112,"

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 3368:** A bill for an act relating to transportation; modifying permit requirements for temporary use of certain rights-of-way; amending Minnesota Statutes 2015 Supplement, section 160.27, subdivision 10.

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

Page 1, line 8, before "Temporary" insert "Department of Transportation" and before "field" insert "certain"

Page 1, line 20, strike "install" and insert "place"

Page 1, line 23, strike "installed" and insert "placed"

Page 1, after line 23, insert:

"Sec. 2. Minnesota Statutes 2014, section 160.27, is amended by adding a subdivision to read:

Subd. 11. **Local road authority temporary permit for certain field application.** A local road authority that has implemented a permitting system shall issue a permit to an applicant who:

(1) seeks to transport manure for field application by means of a pressurized flexible force main placed in the right-of-way of a road that is not a controlled-access highway under section 160.08, but is under the control of the local authority;

(2) provides a minimum of one day's notice to the local authority of the intended placement of the force main;

(3) holds a valid commercial animal waste technician applicator license under section 18C.430; and

(4) ensures, to the road authority's satisfaction, that the project will not unreasonably interfere with maintenance activities authorized by the road authority or with a property owner's or occupant's access to private property.

Sec. 3. Minnesota Statutes 2014, section 160.27, is amended by adding a subdivision to read:

Subd. 12. **General authority for certain field application.** (a) When the local road authority has not implemented a permitting system, an owner or occupant of property may temporarily place, on the right-of-way of a county highway, county state-aid highway, or town road a pressurized flexible force main for the transport of manure for field application, if the following requirements are met:

- (1) the road is not a controlled-access highway under section 160.08;
  - (2) the force main remains in place for no more than 21 days;
  - (3) the force main is placed within the backslope of the road right-of-way where possible, and is not placed on the roadway, as defined in section 169.011, subdivision 68;
  - (4) pumping equipment is placed outside the road right-of-way;
  - (5) the property owner or occupant provides oral or written notice to the appropriate county or town at least one business day prior to placement of the force main in the right-of-way;
  - (6) the project does not unreasonably interfere with maintenance activities authorized by the road authority or with a property owner's or occupant's access to private property; and
  - (7) field application is performed by the holder of a valid commercial animal waste technician applicator license under section 18C.430.
- (b) Notice under paragraph (a), clause (5), must include the starting and estimated ending dates of field application, a basic description of the entire length of the right-of-way being used, and the name of the business or commercial animal waste technician applicator license holder performing field application.
- (c) A property owner or occupant who meets the requirements under paragraphs (a) and (b) may place the force main over the length of the right-of-way from the property owner's or occupant's property to where the manure will be applied, irrespective of whether the person is the owner or occupant of all property abutting the portion of the right-of-way where the force main is to be placed.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment."

Amend the title numbers accordingly

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 referred**

**S.F. No. 3217:** A bill for an act relating to transportation; permitting specific service signs at two locations under certain circumstances; amending Minnesota Statutes 2014, section 160.293, subdivision 3.

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

Page 1, line 13, delete everything after "located"

Page 1, delete line 14

Page 1, line 15, delete "more trunk highways" and insert "between trunk highways and within 15 miles of each qualifying intersection or interchange" and strike the old language

Page 1, line 16, strike the old language

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 referred**

**S.F. No. 1277:** A bill for an act relating to transportation; designating a bridge over signed Interstate Highway 94 in St. Paul as John Alleman Memorial Bridge; amending Minnesota Statutes 2014, 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 re-referred**

**S.F. No. 789:** A bill for an act relating to motor vehicles; providing for registration refunds; amending Minnesota Statutes 2014, section 168.017, by adding a subdivision.

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

Page 1, line 12, delete "2016" and insert "2017"

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 re-referred**

**S.F. No. 1040:** A bill for an act relating to titling; providing for transfer-on-death of title to watercraft and motor vehicles; exempting transfer from motor vehicle sales tax; amending Minnesota Statutes 2014, sections 256B.15, subdivision 1a; 297B.01, subdivision 16; proposing coding for new law in Minnesota Statutes, chapters 86B; 168A.

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. 3230:** A bill for an act relating to insurance; making changes to the life insurance reserves; amending Minnesota Statutes 2014, sections 61A.24, subdivision 12, by adding a subdivision; 61A.25.

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

Page 26, line 33, delete "private or" and insert "confidential or protected"

Page 26, line 34, delete "subdivisions 9 and 12" and insert "subdivision 3 or 13"

Page 27, line 6, after "(f)" insert ", provided that if an examination report or other material prepared in connection with an examination under section 60A.031, subdivision 4, paragraph (f), is not given confidential treatment under that provision, an examination report or other material prepared in connection with an examination under subdivision 10, paragraph (f), is not given confidential treatment to the same extent as if the examination report or other material had been prepared under section 60A.031, subdivision 4, paragraph (f)"

Page 28, delete lines 3 to 12 and insert:

"(d) In order to assist in the performance of the commissioner's duties, the commissioner may share documents, materials, data, and other information, including information that is confidential and privileged (i) with other state, federal, and international regulatory agencies and with the National Association of Insurance Commissioners and its affiliates and subsidiaries and (ii) in the case of the documents, materials, or other information specified in paragraph (a), clauses (1) and (4), only, with the Actuarial Board for Counseling and Discipline or its successor upon request stating that the documents, materials, or other information is required for the purpose of professional disciplinary proceedings and with state, federal, and international law enforcement officials; provided that the recipient agrees, and has the legal authority to agree, to maintain the confidential and privileged status of the documents, materials, data, and other information in the same manner and to the same extent as required for the commissioner."

Page 28, line 14, delete "private, nonpublic," and insert "confidential"

Page 28, line 18, delete "as private, nonpublic, or privileged" and insert "the confidential and privileged status"

Page 28, line 20, delete "private, nonpublic, or" and insert "confidential and"

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 referred**

**S.F. No. 3420:** A bill for an act relating to civil law; allowing for termination of awards based on the cohabitation of the obligee; amending Minnesota Statutes 2014, section 518A.39, subdivision 3.

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 518.552, is amended by adding a subdivision to read:

Subd. 6. **Cohabitation.** (a) Spousal maintenance may be modified pursuant to section 518A.39, subdivision 2, based on the cohabitation by the maintenance obligee with another adult following dissolution of the marriage. The modification may consist of a reduction, suspension, reservation, or termination of maintenance. In determining if maintenance should be modified due to cohabitation, the court shall consider:

- (1) whether the obligee would marry the cohabitant but for the maintenance award;
- (2) the economic benefit the obligee derives from the cohabitation;
- (3) the length of the cohabitation and the likely future duration of the cohabitation; and
- (4) the economic impact on the obligee if maintenance is modified and the cohabitation ends.

(b) The court must not modify a maintenance award based solely on cohabitation if a marriage between the obligee and the cohabitant would be prohibited under section 517.03, subdivision 1, clause (2) or (3). A modification under this subdivision must be precluded or limited to the extent the parties have entered into a private agreement under subdivision 5.

(c) A motion to modify a spousal maintenance award on the basis of cohabitation may not be brought within one year of the date of entry of the decree of dissolution or legal separation that orders spousal maintenance, unless the parties have agreed in writing that a motion may be brought or the court finds that failing to allow the motion to proceed would create an extreme hardship for one of the parties.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to modification motions brought on or after that date."

Amend the title 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. 3213:** A bill for an act relating to crime; modifying crime and increasing sentence of interfering with a body or scene of death; amending Minnesota Statutes 2014, section 609.502, subdivision 1, by adding subdivisions.

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 609.502, subdivision 1, is amended to read:

Subdivision 1. **Concealing evidence.** ~~Whoever~~ A person is guilty of a felony and may be sentenced under subdivision 1a if the person interferes with the body or scene of death with intent to:

(1) conceal the body;

(2) conceal evidence; or

(3) otherwise mislead the coroner or ~~conceal evidence is guilty of a gross misdemeanor~~ medical examiner.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2014, section 609.502, is amended by adding a subdivision to read:

Subd. 1a. **Penalty.** A person convicted under subdivision 1, clause (2) or (3), is guilty of a gross misdemeanor. A person convicted under subdivision 1, clause (1), may be sentenced to imprisonment for not more than three years or to a payment of a fine of not more than \$5,000 or both.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date."

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. 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.

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 13.03, is amended by adding a subdivision to read:

Subd. 13. **Access to private data.** (a) Unless the data subject has otherwise provided consent, a person who is not the subject of private or nonpublic data but is authorized to access that data for a purpose expressed by state or federal law:

(1) may only request and use the data for that purpose; and

(2) may not further disseminate the data to another person except for purposes expressly authorized by law.

(b) Prior to dissemination of private or nonpublic data to a person who is not a subject of the data, a government entity must require the requesting person to certify, in writing, that the data will only be used for an authorized purpose, if authorized purposes are expressly provided by law. This paragraph does not apply to requests for access to data made on behalf of a government entity or to contracts governed by section 13.05, subdivision 11.

(c) The remedies provided in sections 13.08 and 13.09 apply to any person who uses or disseminates data in violation of this subdivision. A government entity is not subject to civil or criminal liability for a violation of paragraph (a), if it has complied with the requirements of paragraph (b)."

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. 2713:** A bill for an act relating to public safety; creating a civil cause of action for the nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; amending the crime of stalking to include nonconsensual sexual solicitation; expanding the definition of qualified domestic violence-related offense; establishing criminal penalties for nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; clarifying the law of criminal defamation; amending Minnesota Statutes 2014, sections 609.02, subdivision 16; 609.748, subdivision 1; 609.749, subdivision 2; 609.765; proposing coding for new law in Minnesota Statutes, chapters 604; 617.

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

Delete everything after the enacting clause and insert:

"Section 1. **[604.30] DEFINITIONS.**

(a) For the purposes of sections 604.30 and 604.31, the following terms have the meanings given.

(b) "Dissemination" means distribution to one or more persons, other than the person who is depicted in the image, or publication by any publicly available medium.

(c) "Image" means a photograph, film, video recording, or digital photograph or recording.

(d) "Intimate parts" means genitals, pubic area, or anus of an individual, or if the individual is female, a partially or fully exposed nipple.

(e) "Personal information" includes any identifier that permits communication or in-person contact with the person depicted in the image, including:

(1) the person's first and last name, first initial and last name, first name and last initial, or nickname;

(2) the person's home, school, or work address;

(3) the person's telephone number, e-mail address, or social media account information; or

(4) the person's geolocation data.

(f) "Sexual act" means either sexual contact or sexual penetration.

(g) "Sexual contact" means the intentional touching of intimate parts or intentional touching with seminal fluid or sperm onto another person's body.

(h) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network, that allows users to create, share, and view user-generated content.

(i) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

**Sec. 2. [604.31] CAUSE OF ACTION FOR NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES; SEXUAL SOLICITATION.**

Subdivision 1. **Nonconsensual dissemination of private sexual images.** (a) A cause of action against a person for the nonconsensual dissemination of private sexual images exists when:

(1) a person disseminated an image without the consent of the person depicted in the image;

(2) the image is of an individual depicted in a sexual act or whose intimate parts are exposed in whole or in part;

(3) the person is identifiable:

(i) from the image itself, by the person depicted in the image or by another person; or

(ii) from the personal information displayed in connection with the image; and

(4) the image was obtained or created under circumstances in which the person depicted had a reasonable expectation of privacy.

(b) The fact that the individual depicted in the image consented to the creation of the image or to the voluntary private transmission of the image is not a defense to liability for a person who has disseminated the image without consent.

Subd. 2. **Nonconsensual sexual solicitation.** A person who uses the personal information of another to invite, encourage, or solicit sexual acts without the individual's consent and knows or has reason to know it will cause the person whose personal information is used to feel harassed, frightened, threatened, oppressed, persecuted, or intimidated, is liable for damages to the individual whose personal information was published or disseminated publicly.

Subd. 3. **Damages.** The court may award the following damages to a prevailing plaintiff from a person found liable under subdivision 1 or 2:

(1) general and special damages, including all finance losses due to the dissemination of the image and damages for mental anguish;

(2) an amount equal to any profit made from the dissemination of the image by the person who intentionally disclosed the image;

(3) a civil penalty awarded to the plaintiff of an amount up to \$10,000; and

(4) court costs, fees, and reasonable attorney fees.

Subd. 4. **Injunction; temporary relief.** (a) A court may issue a temporary or permanent injunction or restraining order to prevent further harm to the plaintiff.

(b) The court may issue a civil fine for the violation of a court order in an amount up to \$1,000 per day for failure to comply with an order granted under this section.

Subd. 5. **Confidentiality.** The court shall allow confidential filings to protect the privacy of the plaintiff in cases filed under this section.

Subd. 6. **Liability; exceptions.** (a) No person shall be found liable under this section when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical or mental health treatment, and the image is protected from further dissemination;

(4) the image involves exposure in public or was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display;

(5) the image relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

(b) This section does not alter or amend the liabilities and protections granted by United States Code, title 47, section 230, and shall be construed in a manner consistent with federal law.

(c) A cause of action arising under this section does not prevent the use of any other cause of action or remedy available under the law.

Subd. 7. **Jurisdiction.** A court has jurisdiction over a cause of action filed pursuant to this section if the plaintiff or defendant resides in this state.

Subd. 8. **Venue.** A cause of action arising under this section may be filed in either:

(1) the county of residence of the defendant or plaintiff or in the jurisdiction of the plaintiff's designated address if the plaintiff participates in the address confidentiality program established by chapter 5B; or

(2) the county where any image is produced, reproduced, or stored in violation of this section.

Subd. 9. **Discovery of dissemination.** In a civil action brought under subdivision 1, the statute of limitations is tolled until the plaintiff discovers the image has been disseminated.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to causes of action commenced on or after that date.

Sec. 3. Minnesota Statutes 2014, section 609.02, subdivision 16, is amended to read:

Subd. 16. **Qualified domestic violence-related offense.** "Qualified domestic violence-related offense" includes a violation of or an attempt to violate sections 518B.01, subdivision 14 (violation of domestic abuse order for protection); 609.185 (first-degree murder); 609.19 (second-degree murder); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.342 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.377 (malicious punishment of a child); 609.713 (terroristic threats); 609.748, subdivision 6 (violation of harassment restraining order); 609.749 (stalking); 609.78, subdivision 2 (interference with an emergency call); 617.261 (nonconsensual dissemination of private sexual images); and 629.75 (violation of domestic abuse no contact order); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 4. Minnesota Statutes 2014, section 609.27, subdivision 1, is amended to read:

Subdivision 1. **Acts constituting.** Whoever orally or in writing makes any of the following threats and thereby causes another against the other's will to do any act or forbear doing a lawful act is guilty of coercion and may be sentenced as provided in subdivision 2:

(1) a threat to unlawfully inflict bodily harm upon, or hold in confinement, the person threatened or another, when robbery or attempt to rob is not committed thereby; or

(2) a threat to unlawfully inflict damage to the property of the person threatened or another; or

(3) a threat to unlawfully injure a trade, business, profession, or calling; or

(4) a threat to expose a secret or deformity, publish a defamatory statement, or otherwise to expose any person to disgrace or ridicule; or

(5) a threat to make or cause to be made a criminal charge, whether true or false; provided, that a warning of the consequences of a future violation of law given in good faith by a peace officer or prosecuting attorney to any person shall not be deemed a threat for the purposes of this section; or

(6) a threat to commit a violation under section 617.261.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2014, section 609.275, is amended to read:

**609.275 ATTEMPT TO COERCE.**

Whoever makes a threat within the meaning of section 609.27, subdivision 1, clauses (1) to ~~(5)~~ (6), but fails to cause the intended act or forbearance, commits an attempt to coerce and may be punished as provided in section 609.17.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2014, section 609.748, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For the purposes of this section, the following terms have the meanings given them in this subdivision.

(a) "Harassment" includes:

(1) a single incident of physical or sexual assault, a single incident of stalking under section 609.749, subdivision 2, clause (8), a single incident of nonconsensual dissemination of private sexual images under section 617.261, or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target;

(2) targeted residential picketing; and

(3) a pattern of attending public events after being notified that the actor's presence at the event is harassing to another.

(b) "Respondent" includes any adults or juveniles alleged to have engaged in harassment or organizations alleged to have sponsored or promoted harassment.

(c) "Targeted residential picketing" includes the following acts when committed on more than one occasion:

(1) marching, standing, or patrolling by one or more persons directed solely at a particular residential building in a manner that adversely affects the safety, security, or privacy of an occupant of the building; or

(2) marching, standing, or patrolling by one or more persons which prevents an occupant of a residential building from gaining access to or exiting from the property on which the residential building is located.

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

Sec. 7. Minnesota Statutes 2014, section 609.749, subdivision 2, is amended to read:

Subd. 2. **Stalking crimes.** A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:

(1) directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;

(2) follows, monitors, or pursues another, whether in person or through any available technological or other means;

(3) returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;

(4) repeatedly makes telephone calls, sends text messages, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;

(5) makes or causes the telephone of another repeatedly or continuously to ring;

(6) repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects; or

(7) knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties; or

(8) uses another's personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the person.

For purposes of this clause, "personal information" and "sexual act" have the meanings given in section 617.261, subdivision 7.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2014, section 609.765, is amended to read:

**609.765 CRIMINAL DEFAMATION.**

Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in society, or injury to business or occupation.

Subd. 2. **Acts constituting.** Whoever with knowledge of its false and defamatory character orally, in writing or by any other means, communicates any false and defamatory matter to a third person without the consent of the person defamed is guilty of criminal defamation and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Subd. 3. **Justification.** Violation of subdivision 2 is justified if:

(1) ~~the defamatory matter is true and is communicated with good motives and for justifiable ends; or~~

- (2) the communication is absolutely privileged; or
- (3) (2) the communication consists of fair comment made in good faith with respect to persons participating in matters of public concern; or
- (4) (3) the communication consists of a fair and true report or a fair summary of any judicial, legislative or other public or official proceedings; or
- (5) (4) the communication is between persons each having an interest or duty with respect to the subject matter of the communication and is made with intent to further such interest or duty.

Subd. 4. **Testimony required.** No person shall be convicted on the basis of an oral communication of defamatory matter except upon the testimony of at least two other persons that they heard and understood the oral statement as defamatory or upon a plea of guilty.

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

Sec. 9. [617.261] NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES.

Subdivision 1. **Crime.** It is a crime to intentionally disseminate an image of another person who is depicted in a sexual act or whose intimate parts are exposed, in whole or in part, when:

- (1) the person is identifiable:
  - (i) from the image itself, by the person depicted in the image or by another person; or
  - (ii) from personal information displayed in connection with the image;
- (2) the actor knows or reasonably should know that the person depicted in the image does not consent to the dissemination; and
- (3) the image was obtained or created under circumstances in which the actor knew or reasonably should have known the person depicted had a reasonable expectation of privacy.

Subd. 2. **Penalties.** (a) Except as provided in paragraph (b), whoever violates subdivision 1 is guilty of a gross misdemeanor.

(b) Whoever violates subdivision 1 may be sentenced to imprisonment for not more than three years or to payment of a fine of \$5,000, or both, if one of the following factors is present:

- (1) the person depicted in the image suffers financial loss due to the dissemination of the image;
- (2) the actor disseminates the image with intent to profit from the dissemination;
- (3) the actor maintains an Internet Web site, online service, online application, or mobile application for the purpose of disseminating the image;
- (4) the actor posts the image on a Web site;
- (5) the actor disseminates the image with intent to harass the person depicted in the image;
- (6) the actor obtained the image by committing a violation of section 609.52, 609.746, 609.89, or 609.891; or
- (7) the actor has previously been convicted under this chapter.

Subd. 3. **No defense.** It is not a defense to a prosecution under this section that the person consented to the capture or possession of the image.

Subd. 4. **Venue.** Notwithstanding anything to the contrary in section 627.01, an offense committed under this section may be prosecuted in:

(1) the county where the offense occurred;

(2) the county of residence of the actor or victim or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B;  
or

(3) only if venue cannot be located in the counties specified under clause (1) or (2), the county where any image is produced, reproduced, found, stored, received, or possessed in violation of this section.

Subd. 5. **Exemptions.** Subdivision 1 does not apply when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical or mental health treatment and the image is protected from further dissemination;

(4) the image involves exposure in public or was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display;

(5) the image relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

Subd. 6. **Immunity.** Nothing in this section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

(1) an interactive computer service as defined in United States Code, title 47, section 230, paragraph (f), clause (2);

(2) a provider of public mobile services or private radio services; or

(3) a telecommunications network or broadband provider.

Subd. 7. **Juvenile offenders.** (a) A county attorney shall offer a person described in paragraph (b) pretrial diversion under section 388.24.

(b) A person is eligible for pretrial diversion under paragraph (a) if the person:

(1) is alleged to have violated this section before reaching the age of 18;



(2) has not previously been convicted or adjudicated delinquent for violating this section; and

(3) has not previously participated in a diversion program for any offense.

Subd. 8. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Dissemination" means distribution to one or more persons, other than the person depicted in the image, or publication by any publicly available medium.

(c) "Harass" means an act that would cause a substantial adverse effect on the safety, security, or privacy of a reasonable person.

(d) "Image" means a photograph, film, video recording, or digital photograph or recording.

(e) "Intimate parts" means the genitals, pubic area, or anus of an individual, or if the individual is female, a partially or fully exposed nipple.

(f) "Personal information" means any identifier that permits communication or in-person contact with a person, including:

(1) a person's first and last name, first initial and last name, first name and last initial, or nickname;

(2) a person's home, school, or work address;

(3) a person's telephone number, e-mail address, or social media account information; or

(4) a person's geolocation data.

(g) "Sexual act" means either sexual contact or sexual penetration.

(h) "Sexual contact" means the intentional touching of intimate parts or intentional touching with seminal fluid or sperm onto another person's body.

(i) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

(j) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network, that allows users to create, share, and view user-generated content.

Subd. 9. **Other crimes.** Nothing in this section shall limit the power of the state to prosecute or punish a person for conduct that constitutes any other crime under any other law of this state.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date."

Amend the title numbers accordingly

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

**Senator Marty from the Committee on Environment and Energy, to which were referred the following appointments:**

CLEAN WATER COUNCIL

Mark Abner  
John Barten  
Gary Burdorf  
Sharon Day  
Warren Formo  
Frank Jewell  
Holly Kovarik  
Raj Rajan  
Todd Renville  
Patrick Shea

Reports the same back with the recommendation that the appointments be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

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

**S.F. No. 1681:** A bill for an act relating to judiciary; considering county attorney as attorney for any town in which a violation occurs for purposes of allocation of court fines, penalties, and forfeitures; amending Minnesota Statutes 2014, section 484.90, subdivision 6.

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. 3334:** A bill for an act relating to the judiciary; providing criminal penalties; modifying provisions for medical cannabis program, children and family services, direct care and treatment, and continuing care; establishing the Department of Human Services Office of Special Investigations Law Enforcement Division; amending Minnesota Statutes 2014, sections 13.3806, subdivision 22; 152.27, subdivision 2, by adding a subdivision; 152.33, by adding a subdivision; 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; 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; 256B.4912, by adding a subdivision; 260C.451, by adding a subdivision; 626.05, subdivision 2; 626.556, subdivision 3e; 626.84, subdivision 1; Minnesota Statutes 2015 Supplement, sections 260C.203; 260C.212, subdivisions 1, 14; 260C.215, subdivision 4; 260C.451, subdivision 6; 260C.521, subdivision 1; 626.556, subdivisions 2, 3c; proposing coding for new law in Minnesota Statutes, chapters 119B; 246; 260C; 260D.

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

Page 35, line 3, delete the new language and insert "Effective May, 29, 2017, sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes child sex trafficking as defined in section 609.321, subdivisions 7a and 7b."

Page 35, delete lines 4 and 5

Page 35, line 6, delete the new language

Page 40, delete article 4

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before "amending"

Amend the title numbers accordingly

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 3483:** A bill for an act relating to courts; updating outdated statutes pertaining to court reporters; authorizing direct appeals of referee orders and decrees in probate or civil commitment court proceedings to the Court of Appeals; clarifying statutes related to penalty of perjury for documents provided to the court; amending Minnesota Statutes 2014, sections 243.49; 358.116; 484.70, subdivision 7; 484.702, by adding a subdivision; 486.01; 486.02; 486.05, subdivision 1; 486.06; 609.48, by adding a subdivision; repealing Minnesota Statutes 2014, sections 484.72; 486.05, subdivision 1a; 525.112.

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

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

**S.F. No. 2154:** A bill for an act relating to health; creating licensing for the practice of clinical lactation services; establishing fees; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Page 6, line 13, after "misdemeanor" insert ", gross misdemeanor," and delete everything after "that"

Page 6, line 14, delete "or" and insert "is reasonably related"

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 referred**

**S.F. No. 2973:** A bill for an act relating to civil law; requiring the court to provide information on alternative dispute resolution to parties in family law cases; amending Minnesota Statutes 2014, section 518.168.

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 518.168, is amended to read:

**518.168 HEARINGS.**

(a) Custody proceedings shall receive priority in being set for hearing.

(b) The court may tax as costs the payment of necessary travel and other expenses incurred by a person whose presence at the hearing the court deems necessary to determine the best interests of the child.

(c) The court without a jury shall determine questions of law and fact. If it finds that a public hearing may be detrimental to the child's best interests, the court may exclude the public from a custody hearing, but may admit any person who has a direct interest in the particular case.

(d) If the court finds it necessary for the protection of the child's welfare that the record of an interview, report, investigation, or testimony in a custody proceeding be kept secret, the court may make an appropriate order sealing the record.

(e) At the first hearing or at an initial appearance before the court under this chapter, the court shall provide an information sheet to the parties explaining:

(1) in cases where alternative dispute resolution is required under General Rules of Practice, rule 310.01, that the parties have the choice of using alternative dispute resolution methods including mediation, arbitration, and other processes to resolve the divorce or custody matter;

(2) how mediation and other available forms of alternative dispute resolution for family law cases work;

(3) that the parties may choose which method of alternative dispute resolution to use; and

(4) that the court administrator is able to provide additional information about resources for alternative dispute resolution.

Each party who is present at the first hearing or at an initial appearance must receive a copy of the information sheet from the court.

(f) The state court administrator shall prepare an alternative dispute resolution information sheet that the court must use to satisfy the requirements of paragraph (e).

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to cases filed on or after that date."

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. 2584:** A bill for an act relating to human rights; establishing demand letter requirements for disability discrimination actions related to accessibility; providing for accessibility audits or plans; appropriating money; amending Minnesota Statutes 2014, section 363A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 363A.

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 326B.16, is amended by adding a subdivision to read:

Subd. 5. **Notice of scope of compliance assessment.** If compliance with accessibility requirements under law, as defined in section 363A.331, subdivision 1, is not included as part of a state or local building inspection report issued to a place of public accommodation, the report must:

(1) inform the recipient that the report does not contain an assessment of compliance with those requirements; and

(2) refer the recipient to the Web site of the State Council on Disability for information and resources regarding accessibility requirements.

**EFFECTIVE DATE.** This section is effective August 1, 2017.

Sec. 2. Minnesota Statutes 2014, section 363A.28, subdivision 3, is amended to read:

Subd. 3. **For filing claim; filing options.** (a) A claim of an unfair discriminatory practice must be brought as a civil action pursuant to section 363A.33, subdivision 1, filed in a charge with a local commission pursuant to section 363A.07, subdivision 3, or filed in a charge with the commissioner within one year after the occurrence of the practice.

(b) The running of the one-year limitation period is suspended during the time a potential charging party and respondent are voluntarily engaged in a dispute resolution process involving a claim of unlawful discrimination under this chapter, including arbitration, conciliation, mediation or grievance procedures pursuant to a collective bargaining agreement or statutory, charter, ordinance provisions for a civil service or other employment system or a school board sexual harassment or sexual violence policy. A potential respondent who participates in such a process with a potential charging party before a charge is filed or a civil action is brought shall notify the department and the charging party in writing of the participation in the process and the date the process commenced and shall also notify the department and the charging party of the ending date of the process. A respondent who fails to provide this notification is barred from raising the defense that the statute of limitations has run unless one year plus a period of time equal to the suspension period has passed.

(c) The running of the one-year limitation period is suspended during the time period provided for in the notice under section 363A.331, subdivision 2.

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

Sec. 3. **[363A.331] ACTIONS INVOLVING ARCHITECTURAL BARRIERS THAT LIMIT ACCESSIBILITY.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Accessibility requirements under law" means requirements governing removal of architectural barriers that limit access to public accommodations by persons with disabilities under the following laws or rules:

(1) section 363A.11, subdivision 3, clause (4) or (5);

(2) United States Code, title 42, section 12182, paragraph (b), clause (2), subparagraph (A), subclause (iv) or (v); or

(3) Code of Federal Regulations, title 28, section 36.304 or 36.305.

(c) "Certified professional" means:

(1) an individual who is certified under section 326B.133, subdivision 3a, paragraph (d); or

(2) a licensed, registered, or otherwise certified professional with demonstrated knowledge of accessibility requirements under law.

(d) "Easily accomplishable" means the types of barriers that are enumerated in Code of Federal Regulations, title 28, section 36.304, paragraph (b).

Subd. 2. **Notice of architectural barrier.** (a) A notice sent before filing a civil action with the court by an attorney representing a person who alleges that a person required to comply with section 363A.11, subdivision 3, has violated an accessibility requirement under law when a remedy is easily accomplishable must:

(1) specify the architectural barrier that is the subject of the alleged violation and its location on the premises;

(2) cite the law alleged to be violated; and

(3) provide a reasonable time to respond, which must be no less than 30 days.

(b) A notice described in paragraph (a) must not include a request or demand for money or an offer or agreement to accept money, but may offer to engage in settlement negotiations before litigation.

(c) This subdivision does not apply to:

(1) a person who is not represented by an attorney; or

(2) attorneys representing the state or a political subdivision of the state.

Subd. 3. **When civil action may be filed or pursued.** (a) If a notice has been sent under subdivision 2, a civil action may not be filed or pursued by the person alleging the violation if, within 60 days of receipt of the notice, the person required to comply with section 363A.11, subdivision 3:

(1) produces a barrier removal audit report prepared by a certified professional finding that the alleged architectural barrier does not violate accessibility requirements under law or that compliance with accessibility requirements under law is not readily achievable or cannot be accomplished by alternative means; or

(2) removes the architectural barrier in a manner that complies with accessibility requirements under law and provides reasonable proof of the removal to the attorney representing the person alleging the violation. If extenuating circumstances make it impossible to remove the barrier within 60 days of receipt of the notice, the plaintiff and the defendant may agree on a deadline for removal of the barrier. If the plaintiff and the defendant cannot agree, the civil action may proceed.

(b) The plaintiff is entitled to reasonable attorney fees for the provision of the notice and investigation of the validity of the claim.

(c) Nothing in this subdivision or subdivision 2 bars a person from bringing an action if:

(1) a plaintiff believes a potential defendant has failed to comply with a timetable for completion of a plan to remove an architectural barrier;

(2) a person is challenging a finding contained in an audit prepared by a certified professional;

(3) a person has a claim for damages resulting from an injury; or

(4) a person is filing charges pursuant to section 363A.28.

Subd. 4. **Affirmative defense; challenging audit.** (a) In a civil action brought against a person required to comply with section 363A.11, subdivision 3, for the failure to remove an architectural barrier that can be removed in an easily accomplishable manner, the defendant has an affirmative defense to the action if the defendant demonstrates that:

(1) the architectural barrier has been removed in a manner that complies with accessibility requirements under law;

(2) compliance with the accessibility requirements under law is not readily achievable or cannot be accomplished by alternative means; or

(3) the alleged architectural barrier does not violate accessibility requirements under law.

(b) In a civil action brought against a person required to comply with section 363A.11, subdivision 3, a plaintiff challenging a finding in an audit, performed by a certified professional, that an alleged architectural barrier complies with accessibility requirements under law, or that compliance is not readily achievable or alternative means cannot be employed, has the burden to show that the architectural barrier does not comply with those accessibility requirements or that compliance is readily achievable or can be accomplished by alternative means.

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

Delete the title and insert:

"A bill for an act relating to human rights; establishing requirements for disability discrimination claims related to architectural barriers; requiring certain notices in building inspection reports; amending Minnesota Statutes 2014, sections 326B.16, by adding a subdivision; 363A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 363A."

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. 3481:** A bill for an act relating to criminal justice; modifying the thresholds for certain controlled substance crimes; creating new offenses specific to the possession of marijuana plants; creating a new offense for possessing trace amounts of certain controlled substances; eliminating mandatory minimum sentences for lower level controlled substance crimes; appropriating money; amending Minnesota Statutes 2014, sections 152.01, subdivision 16a; 152.021; 152.022; 152.023; 152.024; 152.025; 152.026; 152.092; 152.18, subdivision 1; 388.051; proposing coding for new law in Minnesota Statutes, chapter 241.

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

Page 1, line 17, delete "sections" and insert "section" and delete "and" and insert "or"

Page 1, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2014, section 152.021, is amended to read:

**152.021 CONTROLLED SUBSTANCE CRIME IN THE FIRST DEGREE.**

Subdivision 1. **Sale crimes.** A person is guilty of controlled substance crime in the first degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ~~ten~~ 25 grams or more containing cocaine, ~~heroin~~, or methamphetamine;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing heroin;

~~(2)~~ (3) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 grams or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

~~(3)~~ (4) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 200 or more dosage units; or

~~(4)~~ (5) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ~~50~~ 25 kilograms or more containing marijuana or Tetrahydrocannabinols, ~~or one or more mixtures of a total weight of 25 kilograms or more containing marijuana or Tetrahydrocannabinols in a school zone, a park zone, a public housing zone, or a drug treatment facility.~~

Subd. 2. **Possession crimes.** (a) A person is guilty of a controlled substance crime in the first degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of ~~25~~ 50 grams or more containing cocaine, ~~heroin~~, or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more containing heroin;

~~(2)~~ (3) the person unlawfully possesses one or more mixtures of a total weight of 500 grams or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

~~(3)~~ (4) the person unlawfully possesses one or more mixtures of a total weight of 500 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 500 or more dosage units; or

~~(4)~~ (5) the person unlawfully possesses one or more mixtures of a total weight of ~~100~~ 50 kilograms or more, or 500 or more plants, containing marijuana or Tetrahydrocannabinols.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

Subd. 2a. **Methamphetamine manufacture crime.** (a) Notwithstanding subdivision 1, sections 152.022, subdivision 1, 152.023, subdivision 1, and 152.024, subdivision 1, a person is



guilty of controlled substance crime in the first degree if the person manufactures any amount of methamphetamine.

(b) [Renumbered 152.0262, subdivision 1]

Subd. 2b. **Aggravated controlled substance crime in the first degree.** A person is guilty of aggravated controlled substance crime in the first degree if the person violated subdivision 1, clause (1), (2), (3), or (4), or 2, paragraph (a), clause (1) or (2), and the person or an accomplice sold or possessed 100 grams or 500 dosage units of a mixture containing the controlled substance at issue and:

(1) the person or an accomplice possessed a firearm or other dangerous weapon during the commission of the offense; or

(2) the offense involved two or more aggravating factors listed below:

(i) the defendant, within the previous ten years, has been convicted of a crime of violence as defined in section 609.1095, subdivision 1, paragraph (d), other than a violation of a provision under chapter 152, including an attempt or conspiracy, or was convicted of a similar offense in the United States or another state;

(ii) the offense was committed for the benefit of a gang as defined in section 609.229;

(iii) the offense involved separate acts of sale or possession of a controlled substance in three or more counties;

(iv) the offense involved the transfer of controlled substances across a state or international border and into Minnesota;

(v) the offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to sell or transfer;

(vi) the circumstances of the offense reveal the offender to have occupied a high position in the drug distribution hierarchy;

(vii) the defendant used a position or status to facilitate the commission of the offense, including positions of trust, confidence, or fiduciary relationships;

(viii) the offense involved the sale of a controlled substance to a minor or vulnerable adult;

(ix) the defendant or an accomplice manufactured, possessed, or sold a controlled substance in a school zone, park zone, correctional facility, or drug treatment facility; or

(x) the defendant or an accomplice possessed equipment, drug paraphernalia, documents, or money evidencing that the offense involved the cultivation, manufacture, distribution, or possession of controlled substances in quantities substantially larger than the minimum threshold amount for the underlying offense.

Subd. 3. **Penalty.** (a) A person convicted under subdivisions 1 to 2a, paragraph (a), may be sentenced to imprisonment for not more than 30 years or to payment of a fine of not more than \$1,000,000, or both.

(b) If the conviction is a subsequent controlled substance conviction, a person convicted under subdivisions 1 to 2a, paragraph (a), shall be committed to the commissioner of corrections for not

less than four years nor more than 40 years and, in addition, may be sentenced to payment of a fine of not more than \$1,000,000.

(c) If the defendant or an accomplice is convicted under subdivision 1, clause (1), (2), (3), or (4), or 2, paragraph (a), clause (1) or (2), and sold or possessed 100 or more grams or 500 or more dosage units of a mixture containing the controlled substance at issue, that person shall be committed to the commissioner of corrections for not less than 65 months or the presumptive fixed sentence under the Minnesota Sentencing Guidelines, whichever is greater, nor more than 40 years and, in addition, may be sentenced to payment of a fine of not more than \$1,000,000, or both.

(d) A person convicted under subdivision 2b shall be committed to the commissioner of corrections for not less than 86 months or the presumptive fixed sentence under the Minnesota Sentencing Guidelines, whichever is greater, nor more than 40 years and, in addition, may be sentenced to payment of a fine of not more than \$1,000,000, or both.

(e) In a prosecution under ~~subdivision~~ subdivisions 1 to 2b involving sales by the same person in two or more counties within a 90-day period, the person may be prosecuted for all of the sales in any county in which one of the sales occurred."

Page 4, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 2014, section 152.022, is amended to read:

**152.022 CONTROLLED SUBSTANCE CRIME IN THE SECOND DEGREE.**

Subdivision 1. **Sale crimes.** A person is guilty of controlled substance crime in the second degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ~~three~~ ten grams or more containing ~~cocaine, a narcotic drug other than heroin, or methamphetamine;~~

(2) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ~~ten~~ three grams or more containing ~~a narcotic drug other than cocaine, heroin, or methamphetamine;~~

(3) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 50 or more dosage units;

(4) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ~~25~~ ten kilograms or more containing marijuana or Tetrahydrocannabinols;

(5) the person unlawfully sells any amount of a Schedule I or II narcotic drug to a person under the age of 18, or conspires with or employs a person under the age of 18 to unlawfully sell the substance; or

(6) the person unlawfully sells any of the following in a school zone, a park zone, a public housing zone, or a drug treatment facility:

(i) any amount of a Schedule I or II narcotic drug, lysergic acid diethylamide (LSD), 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine;

(ii) one or more mixtures containing methamphetamine or amphetamine; or

(iii) one or more mixtures of a total weight of five kilograms or more containing marijuana or Tetrahydrocannabinols.

Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the second degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of ~~six~~ 25 grams or more containing cocaine, ~~heroin~~, or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of six grams or more containing heroin;

~~(2)~~ (3) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

~~(3)~~ (4) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 100 or more dosage units; or

~~(4)~~ (5) the person unlawfully possesses one or more mixtures of a total weight of ~~50~~ 25 kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 100 or more plants containing marijuana or Tetrahydrocannabinols.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

Subd. 3. **Penalty.** (a) A person convicted under subdivision 1 or 2 may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$500,000, or both.

(b) If the conviction is a subsequent controlled substance conviction, a person convicted under subdivision 1 or 2 shall be committed to the commissioner of corrections for not less than three years nor more than 40 years and, in addition, may be sentenced to payment of a fine of not more than \$500,000.

(c) In a prosecution under subdivision 1 involving sales by the same person in two or more counties within a 90-day period, the person may be prosecuted for all of the sales in any county in which one of the sales occurred."

Page 10, delete lines 1 to 21 and insert:

"Subd. 3 **Penalty.** (a) A person convicted under the provisions of subdivision 2, clause (1), who has never been previously convicted of a violation of this chapter or a similar offense in another jurisdiction, is guilty of a gross misdemeanor if: (1) the amount of the controlled substance possessed, other than heroin, is less than 0.25 grams or one dosage unit or less if the controlled substance was possessed in dosage units; or (2) the controlled substance possessed is heroin and the amount possessed is less than 0.10 grams.

(b) A person convicted under the provisions of subdivision 1; 2, clause (1), unless the conduct is described in paragraph (a); or 2, clause (2), may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both."

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Skoe from the Committee on Taxes, to which was re-referred**

**S.F. No. 2503:** A bill for an act relating to natural resources; clarifying and modifying certain buffer requirements on public waters and drainage ditches; establishing local government aid for buffer enforcement; appropriating money; amending Minnesota Statutes 2014, sections 103B.101, subdivision 12; 103E.315, subdivision 8; Minnesota Statutes 2015 Supplement, sections 103B.101, subdivision 12a; 103F.48, subdivisions 1, 3, 4, 7, 8, 10; proposing coding for new law in Minnesota Statutes, chapter 477A.

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

Page 7, delete section 10

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "amending"

Amend the title numbers accordingly

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. 3327:** A bill for an act relating to impaired driving; requiring ignition interlock for repeat offenders to reinstate driving privileges; extending certain time periods to request reviews in DWI-related proceedings; providing that DWI offenders are not required to take a specified examination as a condition of driver's license reinstatement; prohibiting the application of the DWI Forfeiture Law to motor vehicles operated by persons who enter the ignition interlock program; modifying the DWI forfeiture laws innocent owner defense; amending Minnesota Statutes 2014, sections 97B.066, subdivision 8; 169A.53, subdivision 2; 169A.55, subdivisions 2, 4; 169A.60, subdivision 10; 169A.63, subdivision 7, by adding a subdivision; 171.29, subdivision 1; Minnesota Statutes 2015 Supplement, section 169A.53, subdivision 3.

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

Page 5, line 7, delete "the person's use of" and insert "that either: during the applicable revocation period, and based on records available to the commissioner and on the person's attestation under penalty of perjury, the person has neither owned nor leased a vehicle, nor committed a violation of chapter 169A or 171; or the person has used "

Page 5, line 8, delete "compliance" and insert "complied"

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. 1898, 2760, 3376, 3368, 3217, 1277, 3420, 3213, 3446, 2713, 1681, 3483, 2973, 2584 and 2503 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Latz introduced—**

**S.F. No. 3501:** A bill for an act relating to taxation; Tax Court; modifying the prohibition on representation; amending Minnesota Statutes 2014, section 271.18.

Referred to the Committee on Taxes.

**Senator Senjem introduced—**

**S.F. No. 3502:** A bill for an act relating to agriculture; establishing a tractor rollover protection pilot grant program; appropriating nonstate money received by the commissioner of agriculture; proposing coding for new law in Minnesota Statutes, chapter 17.

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

**Senator Eken introduced—**

**S.F. No. 3503:** A bill for an act relating to workforce development; providing for career coursework completion; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116L.

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

**Senator Jensen introduced—**

**S.F. No. 3504:** A bill for an act relating to education finance; modifying the count of pupil units for purposes of calculating charter school lease aid to include a pupil's time spent in PSEO courses; appropriating money; amending Minnesota Statutes 2015 Supplement, section 124E.22; Laws 2015, First Special Session chapter 3, article 4, section 9, subdivision 2.

Referred to the Committee on Finance.

**Senator Tomassoni introduced—**

**S.F. No. 3505:** A bill for an act relating to the city of Virginia; allowing the city to impose a local sales tax to fund renovation and expansion of the Miners Memorial Building.

Referred to the Committee on Taxes.

**Senator Skoe introduced—**

**S.F. No. 3506:** A bill for an act relating to higher education; providing onetime funding to the Red Lake Nation College; appropriating money.

Referred to the Committee on Finance.

**Senator Metzen introduced—**

**S.F. No. 3507:** A bill for an act relating to parks and trails; modifying allocation of Dakota County parks and trails fund appropriations.

Referred to the Committee on Finance.

**Senators Schmit and Hoffman introduced—**

**S.F. No. 3508:** A bill for an act relating to workers' compensation; modifying occupational disease provisions; amending Minnesota Statutes 2014, section 176.011, subdivision 15.

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

**Senator Dziejdzic introduced—**

**S.F. No. 3509:** A bill for an act relating to taxation; income and corporate franchise; establishing a qualified cultural competency plan credit and grant; appropriating money; amending Minnesota Statutes 2014, section 363A.03, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 290; 363A.

Referred to the Committee on Taxes.

**Senators Franzen, Lourey, Sieben, Pappas and Cohen introduced—**

**S.F. No. 3510:** A bill for an act relating to capital investment; appropriating money for constructing and operating a child care facility on the Capitol complex; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Saxhaug introduced—**

**S.F. No. 3511:** A bill for an act relating to taxation; sales and use; providing an exemption for building materials purchased by nonprofit snowmobile clubs; amending Minnesota Statutes 2014, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Tomassoni introduced—**

**S.F. No. 3512:** A bill for an act relating to capital investment; appropriating money for wastewater treatment improvements to serve Keewatin; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Sheran introduced—**

**S.F. No. 3513:** A bill for an act relating to health; clarifying ban of smoking in vehicles for work; amending Minnesota Statutes 2014, sections 144.413, subdivision 1b; 144.414, subdivision 4.

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

**Senator Schmit introduced—**

**S.F. No. 3514:** A bill for an act relating to capital investment; appropriating money for replacement of a sanitary sewer bridge in Cannon Falls; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Hawj introduced—**

**S.F. No. 3515:** A bill for an act relating to economic development; appropriating money for grants to reduce economic disparities in low-income Asian communities.

Referred to the Committee on Finance.

**Senators Hawj and Dzedzic introduced—**

**S.F. No. 3516:** A bill for an act relating to taxation; income and corporate franchise; providing a tax credit for certain employers; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senator Koenen introduced—**

**S.F. No. 3517:** A bill for an act relating to taxation; property; modifying refunds of overpayments for state-assessed property; appropriating money; amending Minnesota Statutes 2014, section 278.12.

Referred to the Committee on Taxes.

**Senators Dibble, Champion, Hayden, Dzedzic and Torres Ray introduced—**

**S.F. No. 3518:** A bill for an act relating to public safety; requiring that certain peace officer-initiated use of force cases be prosecuted by a special prosecutor; establishing the Board of Special Prosecution and a special prosecutorial office; prohibiting the use of grand juries in certain peace officer-initiated use of force cases; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 626B.

Referred to the Committee on Judiciary.

**Senators Hoffman, Abeler and Hayden introduced—**

**S.F. No. 3519:** A bill for an act relating to health; providing funds to eliminate health disparities for women of African descent in Minnesota; appropriating money.

Referred to the Committee on Finance.

**Senator Torres Ray introduced—**

**S.F. No. 3520:** A bill for an act relating to the Metropolitan Council; regulating sewer availability charges imposed on eating and drinking establishments that add or expand outdoor seating; amending Minnesota Statutes 2014, section 473.517, subdivision 3.

Referred to the Committee on State and Local Government.

**Senator Dziejczak introduced—**

**S.F. No. 3521:** A bill for an act relating to environment; authorizing drainage authorities to acquire property; creating a revolving loan fund to acquire property for riparian improvements; appropriating money; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2014, section 103E.011, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103E.

Referred to the Committee on Environment and Energy.

**Senator Eken introduced—**

**S.F. No. 3522:** A bill for an act relating to higher education; appropriating money to develop educational materials to increase awareness of early childhood through grade 12 fields of teaching.

Referred to the Committee on Finance.

**MOTIONS AND RESOLUTIONS**

Senator Weber moved that the name of Senator Rosen be added as a co-author to S.F. No. 1626. The motion prevailed.

Senator Skoe moved that his name be stricken as a co-author to S.F. No. 3015. The motion prevailed.

Senator Jensen moved that the name of Senator Franzen be added as a co-author to S.F. No. 3049. The motion prevailed.

Senator Osmek moved that the name of Senator Reinert be added as a co-author to S.F. No. 3227. The motion prevailed.

Senator Benson moved that the name of Senator Osmek be added as a co-author to S.F. No. 3420. The motion prevailed.

Senator Anderson moved that the name of Senator Sheran be added as a co-author to S.F. No. 3427. The motion prevailed.



Senator Tomassoni moved that the name of Senator Hayden be added as a co-author to S.F. No. 3489. The motion prevailed.

Senator Newman moved that S.F. No. 2328, No. 15 on General Orders, be stricken and re-referred to the Committee on Taxes. The motion prevailed.

Senator Pappas moved that S.F. No. 2862 be withdrawn from the Committee on Finance, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 2862 was read the second time.

Senator Limmer moved that S.F. No. 3122, No. 76 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

**Senator Miller introduced –**

**Senate Resolution No. 271:** A Senate resolution congratulating Harrison Chiglo for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Miller introduced –**

**Senate Resolution No. 272:** A Senate resolution congratulating Carter Chiglo for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Franzen introduced –**

**Senate Resolution No. 273:** A Senate resolution honoring Nina Cooperman of Edina, Minnesota for her National Gold Key recognition.

Referred to the Committee on Rules and Administration.

#### **MEMBERS EXCUSED**

Senators Brown and Stumpf were excused from the Session of today.

#### **ADJOURNMENT**

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Thursday, April 14, 2016. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

