

SPECIAL SESSION

FOURTH DAY

St. Paul, Minnesota, Thursday, May 25, 2017

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Pastor Mike Smith.

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	Draheim	Hoffman	Limmer	Schoen
Anderson, B.	Dziedzic	Housley	Little	Senjem
Anderson, P.	Eaton	Ingebrigtsen	Lourey	Simonson
Bakk	Eichorn	Isaacson	Marty	Sparks
Benson	Eken	Jasinski	Mathews	Tomassoni
Carlson	Fischbach	Jensen	Miller	Torres Ray
Chamberlain	Franzen	Johnson	Nelson	Utke
Champion	Frentz	Kent	Newman	Weber
Clausen	Gazelka	Kiffmeyer	Newton	Westrom
Cohen	Goggin	Klein	Pratt	Wiger
Cwodzinski	Hall	Laine	Relph	Wiklund
Dahms	Hawj	Lang	Rosen	
Dibble	Hayden	Latz	Ruud	

The President declared a quorum present.

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

MOTIONS AND RESOLUTIONS

Senator Newman moved that H.F. No. 3 be taken from the table and given a second reading. The motion prevailed.

H.F. No. 3: A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation,

Metropolitan Council, and Department of Public Safety activities; modifying various provisions governing transportation policy and finance; allocating certain sales and use tax revenue; establishing accounts; requiring reports; making technical changes; authorizing sale and issuance of state bonds; amending Minnesota Statutes 2016, sections 53C.01, subdivision 2; 85.016; 117.189; 160.02, subdivision 27, by adding subdivisions; 160.18, by adding a subdivision; 160.262, subdivisions 1, 3, 4; 160.266, subdivisions 3, 4, 5, by adding subdivisions; 161.04, subdivision 5; 161.081, subdivision 3; 161.088, subdivisions 4, 5, 7; 161.115, subdivision 190; 161.14, by adding a subdivision; 161.21, subdivision 1; 161.321, subdivision 6; 161.38, by adding a subdivision; 161.44, subdivisions 5, 6a, by adding a subdivision; 168.013, subdivision 1a, by adding a subdivision; 168.021, subdivisions 1, 2, 2a; 168.27, by adding a subdivision; 168.33, subdivision 2; 168A.09, subdivision 1; 168A.141; 168A.142; 169.011, subdivisions 34, 47, by adding a subdivision; 169.14, by adding a subdivision; 169.18, subdivisions 5, 7; 169.224, subdivision 3; 169.345, subdivisions 1, 3; 169.442, subdivision 5; 169.443, subdivision 2; 169.444, subdivision 2; 169.449, subdivision 1; 169.4501, subdivisions 1, 2; 169.4503, subdivisions 4, 7, 14, 23, 30; 169.64, subdivision 8; 169.80, subdivision 1; 169.829, by adding a subdivision; 169.864, subdivisions 3, 4, by adding a subdivision; 169.865, subdivision 3; 171.02, subdivision 2b; 171.06, subdivision 2a; 171.061, subdivision 3, as amended; 171.12, subdivision 6; 173.02, subdivisions 18, 23, by adding subdivisions; 173.06, subdivision 1; 173.07, subdivision 1; 173.08, by adding subdivisions; 173.13, subdivision 11; 173.16, by adding subdivisions; 174.03, subdivisions 1a, 1c; 174.50, subdivisions 5, 6b, 6c, 7, by adding a subdivision; 174.56, by adding a subdivision; 174.93; 221.031, by adding a subdivision; 222.49; 222.50, subdivision 6; 256B.15, subdivision 1a, as amended; 297A.815, subdivision 3; 297A.94; 297A.992, by adding a subdivision; 297B.01, subdivision 16; 299D.03, subdivision 6; 398A.10, subdivisions 3, 4; 473.121, subdivision 2; 473.388, subdivision 4, by adding a subdivision; 473.39, by adding a subdivision; 473.4051, subdivision 2; 473.857, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 160; 168; 168A; 169; 173; 174; 473; repealing Minnesota Statutes 2016, sections 160.262, subdivision 2; 160.265; 160.266, subdivisions 1, 2; 161.115, subdivision 32; 165.15, subdivision 8; 169.4502, subdivision 5; 219.375, subdivision 4; Minnesota Rules, parts 8810.0800, subpart 3; 8810.1300, subpart 4; 8810.6000; 8810.6100; 8810.6300; 8810.6400; 8810.6500; 8810.6600; 8810.6700; 8810.6800; 8810.6900; 8810.7000; 8810.9910; 8810.9911; 8810.9912; 8810.9913.

H.F. No. 3 was read the second time.

Senator Newman moved that H.F. No. 3 be laid on the table. The motion prevailed.

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Benson and Abeler introduced --

S.F. No. 2: A bill for an act relating to state government; establishing the health and human services budget; modifying provisions governing community supports, housing, continuing care, health care, health insurance, direct care and treatment, children and families, chemical and mental health services, Department of Human Services operations, Health Department, health licensing boards, opiate abuse prevention, managed care organizations, and child care development block grant compliance; making technical changes; modifying terminology and definitions; establishing licensing fix-it tickets; requiring reports; establishing moratorium on conversion transactions; modifying fees; making forecast adjustments; appropriating money; amending Minnesota Statutes 2016, sections 3.972, by adding subdivisions; 13.32, by adding a subdivision; 13.46, subdivisions 1, 2; 13.84, subdivision 5; 62A.04, subdivision 1; 62A.21, subdivision 2a; 62A.3075; 62D.105; 62E.04, subdivision 11; 62E.05, subdivision 1; 62E.06, by adding a subdivision; 62K.15; 62U.02; 103I.005, subdivisions 2, 2a, 12, 20a, 21, by adding subdivisions; 103I.101, subdivisions 2, 5, 6; 103I.105; 103I.111, subdivisions 6, 8; 103I.205, subdivisions 1, 2, 3, 4, 5, 6; 103I.208, subdivisions 1, 2; 103I.235, by adding a subdivision; 103I.301, subdivisions 1, 2; 103I.315, subdivision 1; 103I.501; 103I.505, subdivisions 1, 2; 103I.515; 103I.525, subdivisions 1, 2, 5, 6, 8; 103I.531, subdivisions 2, 5; 103I.535, subdivisions 2, 6; 103I.541, subdivisions 1, 2, 2a, 2b, 2c, 2e, 3, 4, 5; 103I.545; 103I.601, subdivisions 2, 4; 103I.711, subdivision 1; 103I.715, subdivision 2; 119B.011, subdivisions 20, 20a; 119B.025, subdivision 1, by adding subdivisions; 119B.03, subdivision 3; 119B.05, subdivision 1; 119B.09, subdivisions 1, 4; 119B.10, subdivision 1, by adding a subdivision; 119B.12, subdivision 2; 119B.13, subdivisions 1, 6; 144.0722, subdivision 1, as amended; 144.0724, subdivisions 4, 6; 144.122; 144.1501, subdivision 2; 144.4961, subdivisions 3, 4, 5; 144.551, subdivision 1; 144.562, subdivision 2; 144.99, subdivision 1; 144A.071, subdivisions 3, as amended, 4a, as amended, 4c, as amended, 4d, as amended; 144A.10, subdivision 4, as amended; 144A.351, subdivision 1; 144A.472, subdivision 7; 144A.4799, subdivision 3; 144A.70, subdivision 6, by adding a subdivision; 144A.74; 144D.04, subdivision 2, by adding a subdivision; 144D.06; 145.4131, subdivision 1; 145.4716, subdivision 2; 145.928, subdivision 13; 145.986, subdivision 1a; 146B.02, subdivisions 2, 3, 5, 8, by adding subdivisions; 146B.03, subdivisions 6, 7, as amended; 146B.07, subdivision 2; 146B.10, subdivisions 1, 2, by adding a subdivision; 147.01, subdivision 7; 147.02, subdivision 1; 147.03, subdivision 1; 147B.08, by adding a subdivision; 147C.40, by adding a subdivision; 148.514, subdivision 1; 148.519, subdivisions 1, 2; 148.5194, subdivisions 2, 3, 4, 7, by adding a subdivision; 148.5195, subdivision 2; 148.6402, subdivision 4; 148.6405; 148.6408, subdivision 2; 148.6410, subdivision 2; 148.6412, subdivision 2; 148.6415; 148.6418, subdivisions 1, 2, 4, 5; 148.6420, subdivisions 1, 3, 5; 148.6423; 148.6425, subdivisions 2, 3; 148.6428; 148.6443, subdivisions 5, 6, 7, 8; 148.6445, subdivisions 1, 10; 148.6448; 148.881; 148.89; 148.90, subdivisions 1, 2; 148.905, subdivision 1; 148.907, subdivisions 1, 2; 148.9105, subdivisions 1, 4, 5; 148.916, subdivisions 1, 1a; 148.925; 148.96, subdivision 3; 148.997, subdivision 1; 148B.53, subdivision

1; 150A.06, subdivisions 3, 8; 150A.10, subdivision 4; 151.212, subdivision 2; 152.11, by adding a subdivision; 152.25, subdivision 1, by adding subdivisions; 152.28, by adding a subdivision; 152.33, by adding a subdivision; 153A.14, subdivisions 1, 2; 153A.17; 157.16, subdivisions 1, 3, 3a; 214.01, subdivision 2; 245.462, subdivision 9; 245.467, subdivision 2; 245.4871, by adding subdivisions; 245.4876, subdivision 2; 245.4889, subdivision 1; 245.814, by adding a subdivision; 245.91, subdivisions 4, 6; 245.94, subdivision 1; 245.97, subdivision 6; 245A.02, subdivisions 2b, 5a, by adding subdivisions; 245A.03, subdivisions 2, 7; 245A.04, subdivisions 4, 14; 245A.06, subdivisions 2, 8, by adding a subdivision; 245A.07, subdivision 3; 245A.09, subdivision 7; 245A.10, subdivision 2; 245A.11, by adding subdivisions; 245A.14, by adding a subdivision; 245A.16, subdivision 1, by adding a subdivision; 245A.191; 245A.40, by adding a subdivision; 245A.50, subdivision 5; 245C.02, by adding a subdivision; 245C.03, subdivision 1, by adding a subdivision; 245C.04, subdivisions 1, 8; 245C.05, subdivisions 2b, 4, 5, 7; 245C.08, subdivisions 1, 2, 4; 245C.09, by adding a subdivision; 245C.10, subdivision 9, by adding subdivisions; 245C.11, subdivision 3; 245C.15; 245C.16, subdivision 1; 245C.17, subdivision 6; 245C.21, subdivision 1; 245C.22, subdivisions 5, 7; 245C.23; 245C.24, subdivision 3; 245C.25; 245C.30, subdivision 2; 245D.03, subdivision 1; 245D.04, subdivision 3; 246.18, subdivision 4, by adding a subdivision; 252.27, subdivision 2a; 252.41, subdivision 3; 252.50, subdivision 5; 253B.10, subdivision 1; 254A.01; 254A.02, subdivisions 2, 3, 5, 6, 8, 10, by adding subdivisions; 254A.03; 254A.035, subdivision 1; 254A.04; 254A.08; 254A.09; 254A.19, subdivision 3; 254B.01, subdivision 3, by adding a subdivision; 254B.03, subdivision 2; 254B.04, subdivisions 1, 2b; 254B.05, subdivisions 1, 1a, 5; 254B.051; 254B.07; 254B.08; 254B.09; 254B.12, subdivision 2, by adding a subdivision; 254B.13, subdivision 2a; 256.01, by adding a subdivision; 256.045, subdivisions 3, 3a; 256.9657, subdivision 1; 256.9685, subdivisions 1, 1a; 256.9686, subdivision 8; 256.969, subdivisions 1, 2b, 3a, 8, 8c, 9, 12; 256.9695, subdivision 1; 256.975, subdivision 7, by adding a subdivision; 256B.04, subdivisions 12, 24; 256B.056, subdivisions 3b, 3c, 5c; 256B.0561, subdivisions 2, 4; 256B.057, subdivision 9, as amended; 256B.059, subdivision 6, as amended; 256B.0621, subdivision 10; 256B.0625, subdivisions 1, 3b, 6a, 7, 17, 17b, 18h, 20, 31, 45a, 64, by adding subdivisions; 256B.0644; 256B.0653, subdivisions 2, 3, 4, as amended, 5, 6, by adding a subdivision; 256B.072; 256B.0755, subdivisions 1, 3, 4, by adding a subdivision; 256B.0911, subdivisions 1a, 2b, 3a, 4d, as amended, 5, 6, as amended, by adding a subdivision; 256B.0915, subdivisions 1, 3a, 3e, 3h, 5, by adding subdivisions; 256B.092, subdivision 4; 256B.0921; 256B.0924, by adding a subdivision; 256B.0943, subdivision 13; 256B.0945, subdivisions 2, 4; 256B.196, subdivisions 2, 3, 4; 256B.35, subdivision 4, as amended; 256B.431, subdivisions 10, 16, 30; 256B.434, subdivisions 4, 4f; 256B.49, subdivisions 11, 15; 256B.4913, subdivision 4a, by adding a subdivision; 256B.4914, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 16, by adding a subdivision; 256B.493, subdivisions 1, 2, by adding a subdivision; 256B.50, subdivision 1b; 256B.5012, by adding subdivisions; 256B.69, subdivision 9e, by adding subdivisions; 256B.75; 256B.76, subdivisions 1, as amended, 2; 256B.761; 256B.763; 256B.766; 256C.21; 256C.23, subdivisions 1, 2, by adding subdivisions; 256C.233, subdivisions 1, 2, 4; 256C.24; 256C.25, subdivision 1; 256C.261; 256C.30; 256D.44, subdivisions 4, as amended, 5, as amended; 256E.30, subdivision 2; 256I.03, subdivision 8; 256I.04, subdivisions 1, 2d, 2g, 3; 256I.05, subdivisions 1a, 1c, 1e, 1j, 1m, by adding subdivisions; 256I.06, subdivisions 2, 8; 256J.45, subdivision 2; 256L.03, subdivisions 1, 1a, 5; 256L.11, subdivision 7, by adding a subdivision; 256L.15, subdivision 2; 256P.06, subdivision 2; 256P.07, subdivisions 3, 6; 256R.02, subdivisions 4, 17, 18, 19, 22, 42, 52, by adding subdivisions; 256R.06, subdivision 5; 256R.07, by adding a subdivision; 256R.10, by adding a subdivision; 256R.37; 256R.40, subdivisions 1, 5; 256R.41; 256R.47; 256R.49, subdivision 1; 260C.451, subdivision 6; 327.15, subdivision 3; 364.09; 609.5315, subdivision 5c; 626.556, subdivisions 2, 3, 3c, 4, 10d, 10e, 10f, 10i; Laws 2009, chapter 101, article

1, section 12; Laws 2012, chapter 247, article 4, section 47, as amended; article 6, section 2, subdivision 2; Laws 2013, chapter 108, article 15, section 2, subdivision 2; Laws 2015, chapter 71, article 14, section 3, subdivision 2, as amended; Laws 2017, chapter 2, article 1, sections 2, subdivision 3; 5; 7; Laws 2017, chapter 13, article 1, section 15; proposing coding for new law in Minnesota Statutes, chapters 103I; 119B; 137; 144; 147A; 148; 245; 245A; 256; 256B; 256I; 256N; 256R; proposing coding for new law as Minnesota Statutes, chapters 144H; 245G; repealing Minnesota Statutes 2016, sections 13.468; 103I.005, subdivisions 8, 14, 15; 103I.451; 119B.07; 144.0571; 144A.351, subdivision 2; 147A.21; 147B.08, subdivisions 1, 2, 3; 147C.40, subdivisions 1, 2, 3, 4; 148.6402, subdivision 2; 148.6450; 148.906; 148.907, subdivision 5; 148.908; 148.909, subdivision 7; 148.96, subdivisions 4, 5; 245A.1915; 245A.192; 254A.02, subdivision 4; 256B.19, subdivision 1c; 256B.4914, subdivision 16; 256B.64; 256B.7631; Laws 2012, chapter 247, article 4, section 47, as amended; Laws 2015, chapter 71, article 7, section 54; Minnesota Rules, parts 5600.2500; 9500.1140, subparts 3, 4, 5, 6; 9530.6405, subparts 1, 1a, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 15a, 16, 17, 17a, 17b, 17c, 18, 20, 21; 9530.6410; 9530.6415; 9530.6420; 9530.6422; 9530.6425; 9530.6430; 9530.6435; 9530.6440; 9530.6445; 9530.6450; 9530.6455; 9530.6460; 9530.6465; 9530.6470; 9530.6475; 9530.6480; 9530.6485; 9530.6490; 9530.6495; 9530.6500; 9530.6505.

Senator Miller moved that S.F. No. 2 be laid on the table. The motion prevailed.

Senators Limmer and Latz introduced --

S.F. No. 4: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending 2017 S.F. No. 1456, article 8, section 12, if enacted.

Senator Miller moved that S.F. No. 4 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Miller moved that H.F. No. 3 be taken from the table. The motion prevailed.

H.F. No. 3: A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation, Metropolitan Council, and Department of Public Safety activities; modifying various provisions governing transportation policy and finance; allocating certain sales and use tax revenue; establishing accounts; requiring reports; making technical changes; authorizing sale and issuance of state bonds; amending Minnesota Statutes 2016, sections 53C.01, subdivision 2; 85.016; 117.189; 160.02, subdivision 27, by adding subdivisions; 160.18, by adding a subdivision; 160.262, subdivisions 1, 3, 4; 160.266, subdivisions 3, 4, 5, by adding subdivisions; 161.04, subdivision 5; 161.081, subdivision 3; 161.088, subdivisions 4, 5, 7; 161.115, subdivision 190; 161.14, by adding a subdivision; 161.21, subdivision 1; 161.321, subdivision 6; 161.38, by adding a subdivision; 161.44, subdivisions 5, 6a, by adding a subdivision; 168.013, subdivision 1a, by adding a subdivision; 168.021, subdivisions 1, 2, 2a; 168.27, by adding a subdivision; 168.33, subdivision 2; 168A.09, subdivision 1; 168A.141; 168A.142; 169.011, subdivisions 34, 47, by adding a subdivision; 169.14, by adding a subdivision; 169.18, subdivisions 5, 7; 169.224, subdivision 3; 169.345, subdivisions 1, 3; 169.442, subdivision 5; 169.443, subdivision 2; 169.444, subdivision 2; 169.449, subdivision 1; 169.4501, subdivisions 1, 2; 169.4503, subdivisions 4, 7, 14, 23, 30; 169.64, subdivision 8; 169.80,

subdivision 1; 169.829, by adding a subdivision; 169.864, subdivisions 3, 4, by adding a subdivision; 169.865, subdivision 3; 171.02, subdivision 2b; 171.06, subdivision 2a; 171.061, subdivision 3, as amended; 171.12, subdivision 6; 173.02, subdivisions 18, 23, by adding subdivisions; 173.06, subdivision 1; 173.07, subdivision 1; 173.08, by adding subdivisions; 173.13, subdivision 11; 173.16, by adding subdivisions; 174.03, subdivisions 1a, 1c; 174.50, subdivisions 5, 6b, 6c, 7, by adding a subdivision; 174.56, by adding a subdivision; 174.93; 221.031, by adding a subdivision; 222.49; 222.50, subdivision 6; 256B.15, subdivision 1a, as amended; 297A.815, subdivision 3; 297A.94; 297A.992, by adding a subdivision; 297B.01, subdivision 16; 299D.03, subdivision 6; 398A.10, subdivisions 3, 4; 473.121, subdivision 2; 473.388, subdivision 4, by adding a subdivision; 473.39, by adding a subdivision; 473.4051, subdivision 2; 473.857, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 160; 168; 168A; 169; 173; 174; 473; repealing Minnesota Statutes 2016, sections 160.262, subdivision 2; 160.265; 160.266, subdivisions 1, 2; 161.115, subdivision 32; 165.15, subdivision 8; 169.4502, subdivision 5; 219.375, subdivision 4; Minnesota Rules, parts 8810.0800, subpart 3; 8810.1300, subpart 4; 8810.6000; 8810.6100; 8810.6300; 8810.6400; 8810.6500; 8810.6600; 8810.6700; 8810.6800; 8810.6900; 8810.7000; 8810.9910; 8810.9911; 8810.9912; 8810.9913.

SUSPENSION OF RULES

Senator Miller moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3 and that the rules of the Senate be so far suspended as to give H.F. No. 3, its third reading and place it on its final passage. The motion prevailed.

CALL OF THE SENATE

Senator Limmer imposed a call of the Senate for the balance of the proceedings on H.F. No. 3. The Sergeant at Arms was instructed to bring in the absent members.

Senator Dibble moved to amend H.F. No. 3 as follows:

Page 106, delete section 121

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 42, as follows:

Those who voted in the affirmative were:

Carlson	Dibble	Hawj	Laine	Torres Ray
Champion	Dziedzic	Hayden	Little	Wiger
Clausen	Eaton	Isaacson	Marty	Wiklund
Cohen	Frentz	Kent	Simonson	

Those who voted in the negative were:

Abeler	Anderson, B.	Anderson, P.	Benson	Chamberlain
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Cwodzinski	Goggin	Kiffmeyer	Nelson	Sparks
Dahms	Hall	Klein	Newman	Tomassoni
Draheim	Hoffman	Lang	Newton	Utke
Eichorn	Housley	Latz	Pratt	Weber
Eken	Ingebrigtsen	Limmer	Relph	Westrom
Fischbach	Jasinski	Lourey	Rosen	
Franzen	Jensen	Mathews	Ruud	
Gazelka	Johnson	Miller	Schoen	

The motion did not prevail. So the amendment was not adopted.

Senator Torres Ray moved to amend H.F. No. 3 as follows:

Page 74, after line 25, insert:

"Sec. 73. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 30a. **Driving card.** (a) "Driving card" means a class D driver's license, provisional license, instruction permit, motorized bicycle operator's permit, or motorized bicycle instruction permit, that is issued or issuable under the laws of this state by the commissioner to a person who is unable to demonstrate lawful presence in this country through current lawful admission status, permanent resident status, indefinite authorized presence status, or United States citizenship.

(b) For purposes of this chapter unless specifically provided otherwise, a driver's license, instruction permit, or provisional license includes the respective driving card.

EFFECTIVE DATE. This section is effective January 1, 2018."

Page 77, after line 9, insert:

"Sec. 75. Minnesota Statutes 2016, section 171.02, as amended by Laws 2017, chapter 76, section 8, is amended by adding a subdivision to read:

Subd. 6. **Driving card.** A driving card may only be used to operate the appropriate type of motor vehicle. A driving card may not be used or accepted for voter registration purposes under section 201.061.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 3. Minnesota Statutes 2016, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
Classified Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
<u>Driving card</u>	<u>D-\$17.25</u>	=	=	=
Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
Commercial Learner's Permit				\$2.50
Provisional License				\$8.25

Enhanced Provisional License	\$23.25
Duplicate License or duplicate identification card	\$6.75
Enhanced Duplicate License or enhanced duplicate identification card	\$21.75
Minnesota identification card or Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a	\$11.25
Enhanced Minnesota identification card	\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, driving card, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. Minnesota Statutes 2016, section 171.06, subdivision 3, as amended by Laws 2017, chapter 76, section 9, is amended to read:

Subd. 3. Contents of application; other information. (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant certifies that the applicant is not eligible for a Social Security number;

(4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and

(5) contain spaces where the applicant may:

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under paragraph (d); and

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for driver's licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

(ii) Social Security number, or related documentation as applicable; and

(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

(d) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

(e) The application must be accompanied also by information containing relevant facts relating to:

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

(3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

EFFECTIVE DATE. This section is effective January 1, 2018."

Page 77, after line 22, insert:

"Sec. 5. Minnesota Statutes 2016, section 171.06, is amended by adding a subdivision to read:

Subd. 3c. Application documents. (a) Foreign governmental identification is:

(1) an acceptable form of proof of identity in application under this section for a Minnesota identification card or driving card; and

(2) a primary document for purposes of Minnesota Rules, part 7410.0400.

(b) For purposes of this subdivision, "foreign governmental identification" means the following accompanying documents:

(1) a valid, unexpired passport that:

(i) is not issued by the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States; and

(ii) contains the full name and date of birth of the cardholder, and a photograph identifying the cardholder; and

(2) a certified birth certificate matching the passport.

(c) To be valid under this subdivision, a passport and a birth certificate must each contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology, using materials that are not readily available to the general public.

(d) Any foreign governmental identification document that is not in English must be accompanied by a qualified English translation.

EFFECTIVE DATE. This section is effective January 1, 2018."

Page 78, after line 10, insert:

"Sec. 6. Minnesota Statutes 2016, section 171.07, is amended by adding a subdivision to read:

Subd. 1c. Designation for certain licenses and identification cards. (a) A driving card must be designed to say "FOR DRIVING ONLY" on the back side of the card.

(b) A Minnesota identification card issued to an applicant who is unable to demonstrate lawful presence in this country through current lawful admission status, permanent resident status, indefinite authorized presence status, or United States citizenship, must be designed to say "FOR IDENTITY ONLY" on the back side of the card.

EFFECTIVE DATE. This section is effective January 1, 2018."

Page 121, after line 14, insert:

"Sec. 7. **COUNTY NOTIFICATION; ELECTION JUDGE TRAINING.**

(a) The secretary of state shall inform each county auditor that a driving card or Minnesota identification card must not be used or accepted for voter registration purposes under Minnesota Statutes, section 201.061, if it bears an inscription specified under Minnesota Statutes, section 171.07, subdivision 1c.

(b) Each county auditor must inform all election officials and election judges hired for an election that driver's licenses and Minnesota identification cards identified under paragraph (a) must not be

used or accepted for voter registration purposes under Minnesota Statutes, section 201.061. County auditors and municipal clerks must include this information in all election judge training courses.

EFFECTIVE DATE. This section is effective January 1, 2018."

Page 121, after line 29, insert:

"(g) Minnesota Rules, part 7410.0410, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, are repealed, effective January 1, 2018."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

Senator Newman moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Carlson	Dziedzic	Hoffman	Little	Torres Ray
Champion	Eaton	Isaacson	Lourey	Wiger
Clausen	Franzen	Kent	Marty	Wiklund
Cohen	Frentz	Klein	Newton	
Cwodzinski	Hawj	Laine	Simonson	
Dibble	Hayden	Latz	Tomassoni	

Those who voted in the negative were:

Abeler	Eichorn	Ingebrigtsen	Mathews	Sparks
Anderson, B.	Eken	Jasinski	Miller	Utke
Anderson, P.	Fischbach	Jensen	Newman	Weber
Benson	Gazelka	Johnson	Pratt	Westrom
Chamberlain	Goggin	Kiffmeyer	Relph	
Dahms	Hall	Lang	Rosen	
Draheim	Housley	Limmer	Ruud	

The motion did not prevail. So the amendment was not adopted.

H.F. No. 3 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 25, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Miller	Simonson
Anderson, B.	Fischbach	Jensen	Nelson	Sparks
Anderson, P.	Gazelka	Johnson	Newman	Tomassoni
Bakk	Goggin	Kiffmeyer	Pratt	Utke
Benson	Hall	Lang	Relph	Weber
Chamberlain	Hoffman	Limmer	Rosen	Westrom
Dahms	Housley	Little	Ruud	
Draheim	Ingebrigtsen	Mathews	Senjem	

Those who voted in the negative were:

Carlson	Dibble	Frentz	Klein	Newton
Champion	Dziedzic	Hawj	Laine	Schoen
Clausen	Eaton	Hayden	Latz	Torres Ray
Cohen	Eken	Isaacson	Lourey	Wiger
Cwodzinski	Franzen	Kent	Marty	Wiklund

So the bill passed and its title was agreed to.

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that S.F. No. 1 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated S.F. No. 1 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1: A bill for an act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, and retirement funds; changing provisions in state government operations; changing provisions in military affairs and veterans affairs, campaign finance, and elections; amending Minnesota Statutes 2016, sections 3.305, subdivision 1; 3.855, subdivision 2; 3.8843, subdivision 7; 3.971, subdivisions 2, 6; 3.972, by adding a subdivision; 3.98, subdivisions 1, 4; 3.987, subdivision 1; 6.481, subdivisions 3, 6; 6.56, subdivision 2; 6.581, subdivision 4; 10A.01, subdivisions 12, 16; 10A.025, subdivision 1a; 10A.04, by adding a subdivision; 10A.071, subdivision 1; 10A.09, subdivisions 5, 6; 10A.15, by adding a subdivision; 10A.20, subdivision 3; 10A.25, subdivision 2; 10A.27, by adding subdivisions; 10A.31, by adding a subdivision; 10A.323; 15.0145, subdivision 5; 15A.083, subdivisions 6a, 7; 16A.90; 16B.055, subdivision 1; 16B.2405; 16B.4805, subdivision 2; 16E.0466; 43A.17, subdivision 11; 43A.24, by adding a subdivision; 138.081; 138.69; 155A.30, subdivision 5; 190.19, subdivisions 2, 2a; 196.05, subdivision 1; 197.236, subdivision 9; 197.791, subdivisions 2, 3, 4, 5, 5a; 270.44; 270.45; 349A.08, subdivision 2; 349A.10, subdivision 6; 352D.06, subdivision 1; 353.27, subdivision 3c; 353.505; 508.12, subdivision 1; 518A.79, by adding a subdivision; Laws 2016, chapter 127, section 8; Laws 2017, chapter 21, sections 1, subdivision 2; 3, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 3; 6; 10A; 15; 16B; 118A; 134A; 197; 206; 270; repealing Minnesota Statutes 2016, sections 6.581, subdivision 1;

204B.48; 349A.08, subdivision 3; Minnesota Rules, parts 4501.0300, subpart 3; 4501.0500, subpart 2; 4503.0200, subpart 6; 4503.0300, subpart 4; 4503.0400, subpart 1; 4503.0500, subparts 5, 8; 4503.0700, subparts 2, 3; 4503.1300, subpart 5; 4503.1400, subparts 8, 9; 4503.1450, subparts 1, 3; 4503.1600; 4503.1700; 4503.1800; 4505.0100, subpart 3; 4505.0900, subparts 2, 3, 4, 5, 6, 7; 4511.0500, subpart 2; 4512.0100, subparts 2, 4, 5; 4525.0210, subpart 1.

Senator Kiffmeyer moved to amend S.F. No. 1 as follows:

Page 8, line 18, delete "24,445,000" and insert "24,395,000" and delete "23,867,000" and insert "23,817,000"

Page 8, line 22, delete "9,678,000" and insert "9,628,000" and delete "9,450,000" and insert "9,400,000"

Page 9, line 14, delete "\$488,000" and insert "\$438,000"

Page 10, line 17, after the period, insert "The base is \$200,000 in fiscal year 2020 and each year thereafter."

Page 13, line 6, delete "25,447,000" and insert "25,497,000" and delete "26,026,000" and insert "26,076,000"

Page 13, line 29, delete "10,255,000" and insert "10,305,000" and delete "10,834,000" and insert "10,884,000"

Page 14, line 1, delete "\$1,115,000" and insert "\$1,165,000" and delete "\$1,122,000" and insert "\$1,172,000"

Page 14, line 3, after the period, insert "The base is \$922,000 in fiscal year 2020 and each year thereafter."

Page 26, delete lines 6 to 8 and insert:

"A commissioner of an executive branch agency receiving appropriations within this article may transfer appropriations for staff positions, salaries, and technology within the agency to meet its statutory obligations. The commissioner shall inform the chairs and ranking minority members of the committees in the house of representatives and senate with jurisdiction over state government and veterans finance quarterly about transfers made under this section."

Page 26, line 10, after "fund" insert "to the Office of Administrative Hearings"

Page 27, delete section 2

Page 35, line 6, delete "January" and insert "October"

Page 35, lines 11 and 13, delete "a single" and insert "the previous"

Page 38, line 28, delete "the general fund" and insert "a Capitol events dedicated account in the special revenue fund. Money in the dedicated account is appropriated to the commissioner of administration to recover direct costs incurred from holding events in the Capitol building"

Page 45, after line 32, insert:

"Sec. 30. Minnesota Statutes 2016, section 138.665, subdivision 2, is amended to read:

Subd. 2. **Mediation.** The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664 or listed on the National Register of Historic Places created by Public Law 89-665. Before carrying out any undertaking that will affect designated or listed properties, or funding or licensing an undertaking by other parties, the state department or agency shall consult with the ~~Minnesota Historical Society~~ State Historic Preservation Office pursuant to the society's established procedures to determine appropriate treatments and to seek ways to avoid and mitigate any adverse effects on designated or listed properties. If the state department or agency and the ~~Minnesota Historical Society~~ State Historic Preservation Office agree in writing on a suitable course of action, the project may proceed. If the parties cannot agree, any one of the parties may request that the governor appoint and convene a mediation task force consisting of five members, two appointed by the governor, the chair of the State Review Board of the State Historic Preservation Office, the commissioner of administration or the commissioner's designee, and one member who is not an employee of the Minnesota Historical Society appointed by the director of the society. The two appointees of the governor and the one of the director of the society shall be qualified by training or experience in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural history. The mediation task force is not subject to the conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision 24, and section 138.664, subdivisions 8 and 111.

EFFECTIVE DATE. This section is effective March 1, 2018.

Sec. 31. Minnesota Statutes 2016, section 138.665, subdivision 3, is amended to read:

Subd. 3. **Notice to ~~Minnesota Historical Society~~ State Historic Preservation Office of land acquisition.** If the state or a governmental subdivision acquires any of the property in section 138.664, it is the duty of the officer in charge of the acquisition to notify in writing, as promptly as possible, the ~~Minnesota Historical Society~~ State Historic Preservation Office of the acquisition.

EFFECTIVE DATE. This section is effective March 1, 2018."

Page 48, after line 18, insert:

"Sec. 35. Minnesota Statutes 2016, section 290.0681, subdivision 1, is amended to read:

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

(b) "Account" means the historic credit administration account in the special revenue fund.

(c) "Office" means the State Historic Preservation Office of the ~~Minnesota Historical Society~~ Department of Administration.

(d) "Project" means rehabilitation of a certified historic structure, as defined in section 47(c)(3)(A) of the Internal Revenue Code, that is located in Minnesota and is allowed a federal credit.

(e) "~~Society~~" ~~means the Minnesota Historical Society.~~

(~~f~~) "Federal credit" means the credit allowed under section 47(a)(2) of the Internal Revenue Code.

(~~g~~) (f) "Placed in service" has the meaning used in section 47 of the Internal Revenue Code.

(~~h~~) (g) "Qualified rehabilitation expenditures" has the meaning given in section 47 of the Internal Revenue Code.

EFFECTIVE DATE. This section is effective March 1, 2018.

Sec. 36. Minnesota Statutes 2016, section 290.0681, subdivision 2, is amended to read:

Subd. 2. **Credit or grant allowed; certified historic structure.** (a) A credit is allowed against the tax imposed under this chapter equal to not more than 100 percent of the credit allowed under section 47(a)(2) of the Internal Revenue Code for a project. To qualify for the credit:

(1) the project must receive Part 3 certification and be placed in service during the taxable year; and

(2) the taxpayer must be allowed the federal credit and be issued a credit certificate for the taxable year as provided in subdivision 4.

(b) The ~~society~~ commissioner of administration may pay a grant in lieu of the credit. The grant equals 90 percent of the credit that would be allowed for the project.

(c) In lieu of the credit under paragraph (a), an insurance company may claim a credit against the insurance premiums tax imposed under chapter 297I.

EFFECTIVE DATE. This section is effective March 1, 2018.

Sec. 37. Minnesota Statutes 2016, section 290.0681, subdivision 7, is amended to read:

Subd. 7. **Appropriations.** (a) An amount sufficient to pay the refunds authorized under this section is appropriated to the commissioner from the general fund.

(b) An amount sufficient to pay the grants authorized under this section is appropriated to the ~~society~~ commissioner of administration from the general fund.

(c) Amounts in the account are appropriated to the ~~society~~ commissioner of administration for costs associated with personnel and administrative expenses related to administering the credit for historic structure rehabilitation in this section, for refunding application fees under subdivision 3, and for costs associated with preparing the determination of economic impact report required in subdivision 9.

EFFECTIVE DATE. This section is effective March 1, 2018.

Sec. 38. Minnesota Statutes 2016, section 290.0681, subdivision 9, is amended to read:

Subd. 9. **Report; determination of economic impact.** The ~~society~~ commissioner of administration must annually determine the economic impact to the state from the rehabilitation of property for which credits or grants are provided under this section and provide a written report on the impact to the chairs and ranking minority members of the legislative committees on taxes of the senate and house of representatives, in compliance with sections 3.195 and 3.197.

EFFECTIVE DATE. This section is effective March 1, 2018."

Page 51, after line 10, insert:

"Sec. 46. Minnesota Statutes 2016, section 471.193, subdivision 6, is amended to read:

Subd. 6. **Communication with state historic preservation officer.** Proposed site designations and design guidelines must be sent to the state historic preservation officer at the ~~Minnesota Historical Society~~ Department of Administration, who shall review and comment on the proposal within 60 days. By October 31 of each year, each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities, including designations, reviews, and other activities during the previous 12 months.

EFFECTIVE DATE. This section is effective March 1, 2018."

Page 53, delete section 48 and insert:

"Sec. 54. **HISTORIC PRESERVATION; TRANSFER.**

(a) The powers, duties, responsibilities, personnel, assets, and unexpended funds relating to functions assigned to the Minnesota State Historic Preservation Office are transferred to the Department of Administration effective March 1, 2018. For the purpose of this section, the Minnesota State Historical Society is considered a state agency under Minnesota Statutes, sections 15.039 and 16B.37.

(b) The commissioner of the Department of Administration in consultation with the Minnesota Historical Society must transfer functions from the Minnesota Historical Preservation Office to the Department of Administration. The transfer must provide for the full transition of all State Historic Preservation Office functions to the Department of Administration.

(c) A transferred employee's length of service remains uninterrupted as if the employee had been employed by the Department of Administration during the employee's time of employment by the Minnesota Historical Society.

The employee shall have all accumulated unliquidated vacation and sick leave hours transferred to the employee's credit, up to the maximum accumulations permitted by the state collective bargaining agreement or compensation plan adopted under Minnesota Statutes, section 43A.18, governing the transferred position. Vacation and sick leave hours are not transferred if the transferred position does not provide for the leave.

The salary rate of employees transferred under this section may not decrease as a result of the transfer to state employment. If an employee's salary rate is above the maximum of the class to which the transferred position is allocated, so long as the employee remains in the transferred

position, the employee shall not be eligible to receive any increase in salary until the employee's salary is within the range of the class to which the transferred position is allocated, unless such increases are specifically provided in the state collective bargaining agreement or compensation plan governing the transferred position.

All transferred employees must successfully complete a probationary period of at least one year beginning the effective date of the transfer in order to attain permanent status in the class to which the transferred position is allocated.

EFFECTIVE DATE. This section is effective March 1, 2018."

Page 54, line 11, delete everything after "auditor" and insert "for fiscal year 2018 and beyond"

Page 54, line 12, delete everything before the second comma

Page 54, line 14, delete "end" and insert "close"

Page 54, line 17, after "The" insert "Legislative Coordinating Commission must contract with the" and delete "must" and insert "to"

Page 55, line 4, delete "and"

Page 55, line 5, after "senate," insert "and two members from executive branch agencies, appointed by the commissioner of management and budget,"

Page 55, line 12, delete "the scope of" and after "responsibilities" insert "for fiscal notes and local impact notes"

Page 55, line 17, delete "an interim" and insert "a preliminary"

Page 55, line 20, after the first "The" insert "final"

Page 65, line 13, delete "\$500" and insert "\$200"

Adjust amounts accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Housley moved to amend S.F. No. 1 as follows:

Page 82, after line 32, insert:

"ARTICLE 5**LIQUOR**

Section 1. Minnesota Statutes 2016, section 85.0505, is amended by adding a subdivision to read:

Subd. 3. **Fort Ridgely State Park.** The commissioner of public safety, with the approval of the commissioner of natural resources, may issue to a concessionaire, lessee, or person holding a contract with the Department of Natural Resources an on-sale license for the sale of intoxicating liquor at the Fort Ridgely State Park golf course. The annual fee for the license issued pursuant to this subdivision shall be set by the commissioner of public safety at an amount comparable to the fee charged by the surrounding counties for a similar license. All provisions of chapter 340A not inconsistent with this subdivision shall apply to the sale of intoxicating liquor at the Fort Ridgely State Park golf course.

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

Sec. 2. Minnesota Statutes 2016, section 340A.22, subdivision 1, is amended to read:

Subdivision 1. **Activities.** (a) A microdistillery licensed under this chapter may provide on its premises samples of distilled spirits manufactured on its premises, in an amount not to exceed 15 milliliters per variety per person. No more than 45 milliliters may be sampled under this paragraph by any person on any day.

(b) A microdistillery can sell cocktails to the public, pursuant to subdivision 2.

(c) A microdistillery may not operate a cocktail room under subdivision 2 or conduct sales at off-sale under subdivision 4 unless at least 50 percent of the annual production of the licensee is processed and distilled on premises.

(d) Distilled spirits produced or in production prior to July 1, 2017, are not counted as part of the calculations under paragraph (c).

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

Sec. 3. Minnesota Statutes 2016, section 340A.22, subdivision 2, is amended to read:

Subd. 2. **Cocktail room license.** (a) A municipality, including a city with a municipal liquor store, may issue the holder of a microdistillery license under this chapter a microdistillery cocktail room license. A microdistillery cocktail room license authorizes on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller. Notwithstanding section 340A.504, subdivision 3, a cocktail room may be open and may conduct on-sale business on Sundays if authorized by the municipality. Nothing in this subdivision precludes the holder of a microdistillery cocktail room license from also holding a license to operate a restaurant at the distillery. Section 340A.409 shall apply to a license issued under this subdivision. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

(b) A distiller may only have one cocktail room license under this subdivision, and may not have an ownership interest in a distillery licensed under section 340A.301, subdivision 6, clause (a).

(c) The municipality shall impose a licensing fee on a distiller holding a microdistillery cocktail room license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 2, paragraph (a).

(d) A municipality shall, within ten days of the issuance of a license under this subdivision, inform the commissioner of the licensee's name and address and trade name, and the effective date and expiration date of the license. The municipality shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.

(e) No single entity may hold both a cocktail room and taproom license, and a cocktail room and taproom may not be colocated.

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

Sec. 4. Minnesota Statutes 2016, section 340A.24, subdivision 3, is amended to read:

Subd. 3. **Total retail sales.** A brew pub's total retail sales at on- or off-sale under this section may not exceed 3,500 barrels per year, provided that off-sales may not total more than ~~500~~ 750 barrels.

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

Sec. 5. Minnesota Statutes 2016, section 340A.28, subdivision 1, is amended to read:

Subdivision 1. **License; limitations.** A brewer licensed under section 340A.301, subdivision 6, clause (c), (i), or (j), may be issued a license by a municipality for off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer. The license must be approved by the commissioner. A brewer may only have one license under this subdivision. The amount of malt liquor sold at off-sale may not exceed ~~500~~ 750 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores, except that malt liquor in growlers only may be sold at off-sale on Sundays. Sunday sales must be approved by the licensing jurisdiction and hours may be established by those jurisdictions. Packaging of malt liquor for off-sale under this subdivision must comply with section 340A.285.

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

Sec. 6. Minnesota Statutes 2016, section 340A.301, is amended by adding a subdivision to read:

Subd. 12. **3.2 percent malt liquor; label.** 3.2 percent malt liquor, as defined under section 340A.101, subdivision 19, may be sold with a label that states "MAX 3.2% ALC/WT" or equivalent, on the side of the can or bottle, and does not require a similar disclosure on the can top or bottom. The commissioner shall establish standards to implement this requirement.

EFFECTIVE DATE. This section is effective July 1, 2017, and applies to all cans or bottles sold after that date.

Sec. 7. Minnesota Statutes 2016, section 340A.315, subdivision 7, is amended to read:

Subd. 7. **Distilled spirits permitted.** Farm wineries licensed under this section are permitted to manufacture distilled spirits as defined under section 340A.101, subdivision 9, which may exceed 25 percent alcohol by volume, made from Minnesota-produced or Minnesota-grown grapes, grape juice, other fruit bases, or honey. The following conditions pertain:

(1) no farm winery or firm owning multiple farm wineries may manufacture more than 5,000 gallons of distilled spirits in a given year, and this 5,000 gallon limit is part of the 50,000 gallon limit found in subdivision 2;

(2) a farm winery may not sell at on-sale, off-sale, or wholesale, a distilled spirit that does not qualify as a Minnesota spirit. For purposes of this section, to qualify as a Minnesota spirit, 50 percent of the distilled spirit must be processed and distilled on premises. Distilled spirits produced or in production prior to July 1, 2017, are not counted as part of the calculations under this clause;

(3) farm wineries must pay an additional annual fee of \$50 to the commissioner before beginning production of distilled spirits; and

~~(3)~~ (4) farm wineries may not sell or produce distilled spirits for direct sale to manufacturers licensed under section 340A.301, subdivision 6, paragraph (a).

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

Sec. 8. **[340A.425] SERVICE AT CAPITOL.**

Notwithstanding section 340A.412, subdivision 4, paragraph (a), clause (2), the city of St. Paul may issue an on-sale wine and malt liquor license for the premises known as the State Capitol, including the Capitol cafeteria. The commissioner of administration must specify those areas where service is being requested. The Department of Administration shall enter into an agreement with a food service vendor or another vendor on all matters related to the sale of wine and malt liquor in the Capitol. Section 16B.275 does not apply to the sale of wine and malt liquor in the Capitol and all fees charged or profits earned by the Department of Administration from the sale of wine and malt liquor in the Capitol must be deposited in a capitol revenues account in the special revenue fund and are appropriated to the commissioner for capitol preservation and programming. The Capitol must sell wine and malt liquor that are made in Minnesota.

EFFECTIVE DATE. This section is effective upon approval by the Saint Paul City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 9. Minnesota Statutes 2016, section 340A.504, subdivision 6, is amended to read:

Subd. 6. **Municipalities may limit hours.** A municipality may further limit the days or hours of on and off sales of alcoholic beverages, provided that further restricted on-sale hours for intoxicating liquor must apply equally to on-sale hours of 3.2 percent malt liquor. A city may not permit the sale of alcoholic beverages during hours when the sale is prohibited by this section.

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

Sec. 10. Laws 1999, chapter 202, section 13, as amended by Laws 2013, chapter 42, section 8, is amended to read:

Sec. 13. CITY OF ST. PAUL; LICENSES AUTHORIZED.

(a) The city of St. Paul may issue temporary intoxicating liquor licenses under Minnesota Statutes, section 340A.404, subdivision 10, to Macalester college for the Macalester Scottish fair, Springfest, and for the annual alumni reunion weekend without regard to the limitation in Minnesota Statutes, section 340A.410, subdivision 10, paragraph (b).

(b) Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, the city of St. Paul may issue a temporary on-sale intoxicating liquor license to Twin Cities in Motion, or its successor organization, if any. The license may authorize ~~only~~ the sale of intoxicating ~~malt liquor and 3.2 percent malt liquor~~ on the grounds of the state capitol on the day of the Twin Cities Marathon. ~~The intoxicating~~ Any malt liquor and 3.2 percent malt liquor sold must be produced by a Minnesota brewery. All provisions of Minnesota Statutes, section 340A.404, subdivision 10, not inconsistent with this section, apply to the license authorized by this section.

EFFECTIVE DATE. This section is effective upon approval by the Saint Paul City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 11. SPECIAL LICENSE; COLD SPRING.

Notwithstanding any law or ordinance to the contrary, the city of Cold Spring may issue an intoxicating malt liquor license to the Cold Spring Baseball Association for sales at Cold Spring Baseball Park, located at 700 First Street South. The license may allow service and consumption anywhere within the Baseball Park, at events hosted or scheduled by the Association.

EFFECTIVE DATE. This section is effective upon approval by the Cold Spring City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 12. FOOD HALL LICENSE; MINNEAPOLIS.

Notwithstanding Minnesota Statutes, section 340A.101, subdivision 25, 340A.401, or 340A.410, subdivision 7, or any other law or ordinance to the contrary, the city of Minneapolis may issue an on-sale intoxicating liquor license for a licensee serving as an anchor tenant for a food hall to be located at 501 30th Avenue Southeast. The license may allow service and consumption anywhere within the licensee establishment, and anywhere within the larger food hall, provided that the larger premises is specified in the on-sale license. Multiple independent food vendors will be able to utilize a common seating area under the control of the liquor license holder to allow the public to purchase and consume food from third parties while also consuming licensed beverages sold by the license holder.

EFFECTIVE DATE. This section is effective upon approval by the city of Minneapolis and compliance with Minnesota Statutes, section 645.021.

Sec. 13. CITY OF MINNEAPOLIS; SPECIAL LICENSES.

The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant located at 4312 Upton Avenue South, notwithstanding any law or local ordinance or charter provision.

EFFECTIVE DATE. This section is effective upon approval by the Minneapolis City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 14. **SPECIAL EVENTS; CAPITOL.**

Notwithstanding any law or ordinance to the contrary, the city of St. Paul may issue two separate temporary liquor licenses for special events at the Minnesota Capitol, allowing sale throughout the Capitol building and on the Capitol grounds, as specified by the commissioner of administration. The first special event license shall be for events relating to the ceremonial opening of the restored State Capitol in August 2017. The second special event license shall be for events associated with the Super Bowl and the construction of an ice castle in 2018. Licenses shall be for on-sale during all legal hours of service and shall allow all service of wine, malt liquor, and distilled spirits. Service must be limited to wine, malt liquor, and distilled spirits that are made in Minnesota.

EFFECTIVE DATE. This section is effective upon approval by the Saint Paul City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 15. **NATIONAL FOOTBALL LEAGUE TRAINING SITE; ON-SALE LICENSES.**

Notwithstanding Minnesota Statutes, section 340A.404, subdivision 1, or any other law or local ordinance to the contrary, the city of Eagan may issue an on-sale intoxicating liquor license to the owner of a National Football League sports facility located on property in the city of Eagan in Dakota County, legally described as Lot 1, Block 1, Viking Lakes, and to any concessionaire operator or third-party vendor under contract with the owner. The license authorizes the sale of intoxicating liquor to persons attending any and all events on Lots 1 and 2, Block 1, Viking Lakes, that are in conjunction with activities on Lot 1. The license may be issued for a space that is not compact and contiguous, provided that the licensed premises shall only be the space described in the approved license. The license authorizes sales on all days of the week. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license under this section.

EFFECTIVE DATE. This section is effective upon approval by the Eagan City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 16. **SPECIAL LICENSE; NEW HOPE.**

Notwithstanding any law or ordinance to the contrary, the city of New Hope may issue an on-sale intoxicating liquor license for the New Hope Village Golf Course that is located at 8130 Bass Lake Road and is owned by the city. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of New Hope is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the license as if the establishment were a municipal liquor store.

EFFECTIVE DATE. This section is effective upon approval by the New Hope City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 17. **SPECIAL LICENSE; SARTELL.**

The city of Sartell may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license for the city-owned facilities known as Sartell Community Center, located at 850 19th Street South; Pinecone Central Park, located at 1105 Central Park Blvd; and Champion Field, located at 710 12th Street North, notwithstanding any law, local ordinance, or charter provision. A license issued under this section authorizes sales on all days of the week to persons attending events at these facilities. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the licenses issued under this section. The city of Sartell is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the licenses as if the facilities were a municipal liquor store.

EFFECTIVE DATE. This section is effective upon approval by the Sartell City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 18. **SPECIAL CLOSING TIMES; 2018 SUPER BOWL.**

During the 2018 National Football League Super Bowl at U.S. Bank Stadium, licensing jurisdictions that issue on-sale intoxicating liquor licenses under Minnesota Statutes, chapter 340A, may, at their discretion, issue special permits for service of alcohol through extended hours lasting until 4:00 a.m. each day. This section is subject to the following conditions:

(1) only holders of an existing on-sale intoxicating liquor license or a 3.2 malt liquor license are eligible for later closing hours;

(2) later closing hours apply only during the period from 12:00 p.m. on February 2, 2018, through 4:00 a.m. on February 5, 2018;

(3) local licensing jurisdictions issuing special permits to operate with extended hours during the days listed in clause (2) may charge a fee up to but not to exceed \$250 for a permit. In the process of issuing a permit under this section, the licensing jurisdiction may limit approval to specified geographic, zoning, or license classifications within its jurisdiction; and

(4) this section expires at 4:01 a.m. on February 5, 2018.

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

Sec. 19. **REPEALER.**

Laws 2001, chapter 193, section 10, as amended by Laws 2013, chapter 137, article 4, section 6; and Laws 2013, chapter 137, article 4, section 6, are repealed."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1 was read the third time, as amended, and placed on its final passage.

CALL OF THE SENATE

Senator Gazelka imposed a call of the Senate for the balance of the proceedings on S.F. No. 1. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 45 and nays 17, as follows:

Those who voted in the affirmative were:

Abeler	Dahms	Hayden	Lang	Pratt
Anderson, B.	Draheim	Hoffman	Latz	Relph
Anderson, P.	Eichorn	Housley	Limmer	Rosen
Benson	Eken	Ingebrigtsen	Little	Ruud
Carlson	Fischbach	Jasinski	Mathews	Senjem
Chamberlain	Frentz	Jensen	Miller	Tomassoni
Clausen	Gazelka	Johnson	Nelson	Utke
Cohen	Goggin	Kiffmeyer	Newman	Weber
Cwodzinski	Hall	Laine	Newton	Westrom

Those who voted in the negative were:

Bakk	Eaton	Kent	Simonson	Wiklund
Champion	Franzen	Lourey	Sparks	
Dibble	Hawj	Marty	Torres Ray	
Dziedzic	Isaacson	Schoen	Wiger	

So the bill, as amended, was passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Nelson moved that H.F. No. 2 be taken from the table. The motion prevailed.

H.F. No. 2: A bill for an act relating to education finance; providing funding in early childhood, kindergarten through grade 12, and adult education, including general education, education excellence, teachers, special education, facilities and technology, nutrition, libraries, early childhood and family support, community education and prevention, self-sufficiency and lifelong learning, and state agencies; making forecast adjustments; restructuring Minnesota's teacher licensing system; establishing and transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; appropriating money; amending Minnesota Statutes 2016, sections 43A.08, subdivisions 1, 1a; 120A.22, subdivision 9; 120A.41; 120B.021, subdivisions 1, 3; 120B.022, subdivision 1b; 120B.12, subdivisions 2, 2a, 3; 120B.125; 120B.132; 120B.22, subdivision 2; 120B.23, subdivision 3; 120B.232, subdivision 1; 120B.30, subdivision 1; 120B.31, subdivisions 4, 4a, by adding a subdivision; 120B.35, subdivision 3; 120B.36, subdivision 1; 121A.22, subdivision 2; 121A.221; 122A.14, subdivision 9; 122A.18, subdivisions 7c, 8; 122A.21, subdivisions 1, 2, by adding a subdivision; 122A.40, subdivision 10; 122A.41, by adding a subdivision; 122A.414, subdivision 2; 122A.415, subdivision 4; 122A.416; 123A.30, subdivision 6; 123A.73, subdivision 2; 123B.41, subdivisions 2, 5a; 123B.52, subdivision 1, by adding a subdivision; 123B.595, subdivisions 1, 4; 123B.71, subdivisions 11, 12; 123B.92, subdivision 1; 124D.03, subdivision 5a; 124D.05, subdivision 3; 124D.09, subdivisions 3, 5, 10, 12, 13, by adding subdivisions; 124D.1158, subdivisions 3, 4; 124D.165, subdivisions 1, 2, 3, 4; 124D.52, subdivision 7; 124D.549; 124D.55;

124D.59, subdivision 2; 124D.68, subdivision 2; 124D.695; 124D.83, subdivision 2; 124E.03, subdivision 2; 124E.05, subdivision 7; 124E.11; 124E.22; 125A.083; 125A.0941; 125A.11, subdivision 1; 125A.21, subdivision 2; 125A.515; 125A.56, subdivision 1; 125A.74, subdivision 1; 125A.76, subdivision 2c; 126C.05, subdivisions 1, 8; 126C.10, subdivisions 2, 2a, 3, 13a, by adding a subdivision; 126C.17, subdivision 9; 127A.45, subdivision 10; 129C.10, subdivisions 1, 4; 129C.105; 134.31, subdivision 2; 136A.1791, subdivisions 1, 2, 9; 256B.0625, subdivision 26; 256J.08, subdivisions 38, 39; 297A.70, subdivision 2; Laws 2015, First Special Session chapter 3, article 1, section 27, subdivisions 2, as amended, 3, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article 2, section 70, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 7, as amended, 11, as amended; article 4, section 9, subdivision 2, as amended; article 5, section 30, subdivisions 2, as amended, 3, as amended, 5, as amended, 6; article 6, section 13, subdivisions 2, as amended, 3, as amended; article 7, section 7, subdivisions 2, as amended, 3, as amended, 4, as amended; article 9, section 8, subdivisions 5, as amended, 6, as amended; article 10, section 3, subdivision 2, as amended; article 11, section 3, subdivision 2, as amended; Laws 2016, chapter 189, article 25, sections 58; 62, subdivisions 7, 11, 17; article 30, section 25, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 121A; 122A; 124D; 129C; 136A; repealing Minnesota Statutes 2016, sections 122A.40, subdivision 11; 122A.41, subdivision 14; 123A.73, subdivision 3; 124D.151; 124D.73, subdivision 2; 125A.75, subdivision 7; 125A.76, subdivision 2b; 129C.10, subdivision 5a; 129C.30; Minnesota Rules, part 3500.3100, subpart 4.

The question was taken on the final passage of H.F. No. 2, as amended.

The roll was called, and there were yeas 34 and nays 28, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Ingebrigtsen	Mathews	Ruud
Anderson, B.	Eichorn	Jasinski	Miller	Senjem
Anderson, P.	Fischbach	Jensen	Nelson	Sparks
Bakk	Gazelka	Johnson	Newman	Utke
Benson	Goggin	Kiffmeyer	Pratt	Weber
Chamberlain	Hall	Lang	Relph	Westrom
Dahms	Housley	Limmer	Rosen	

Those who voted in the negative were:

Carlson	Dziedzic	Hayden	Little	Tomassoni
Champion	Eaton	Hoffman	Lourey	Torres Ray
Clausen	Eken	Isaacson	Marty	Wiger
Cohen	Franzen	Kent	Newton	Wiklund
Cwodzinski	Frentz	Laine	Schoen	
Dibble	Hawj	Latz	Simonson	

So the bill, as amended, was passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 3

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 25, 2017

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MESSAGES FROM THE HOUSE- CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 25, 2017

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Housley moved that S.F. No. 2 be taken from the table. The motion prevailed.

S.F. No. 2: A bill for an act relating to state government; establishing the health and human services budget; modifying provisions governing community supports, housing, continuing care, health care, health insurance, direct care and treatment, children and families, chemical and mental health services, Department of Human Services operations, Health Department, health licensing boards, opiate abuse prevention, managed care organizations, and child care development block grant compliance; making technical changes; modifying terminology and definitions; establishing licensing fix-it tickets; requiring reports; establishing moratorium on conversion transactions; modifying fees; making forecast adjustments; appropriating money; amending Minnesota Statutes 2016, sections 3.972, by adding subdivisions; 13.32, by adding a subdivision; 13.46, subdivisions 1, 2; 13.84, subdivision 5; 62A.04, subdivision 1; 62A.21, subdivision 2a; 62A.3075; 62D.105;

62E.04, subdivision 11; 62E.05, subdivision 1; 62E.06, by adding a subdivision; 62K.15; 62U.02; 103I.005, subdivisions 2, 2a, 12, 20a, 21, by adding subdivisions; 103I.101, subdivisions 2, 5, 6; 103I.105; 103I.111, subdivisions 6, 8; 103I.205, subdivisions 1, 2, 3, 4, 5, 6; 103I.208, subdivisions 1, 2; 103I.235, by adding a subdivision; 103I.301, subdivisions 1, 2; 103I.315, subdivision 1; 103I.501; 103I.505, subdivisions 1, 2; 103I.515; 103I.525, subdivisions 1, 2, 5, 6, 8; 103I.531, subdivisions 2, 5; 103I.535, subdivisions 2, 6; 103I.541, subdivisions 1, 2, 2a, 2b, 2c, 2e, 3, 4, 5; 103I.545; 103I.601, subdivisions 2, 4; 103I.711, subdivision 1; 103I.715, subdivision 2; 119B.011, subdivisions 20, 20a; 119B.025, subdivision 1, by adding subdivisions; 119B.03, subdivision 3; 119B.05, subdivision 1; 119B.09, subdivisions 1, 4; 119B.10, subdivision 1, by adding a subdivision; 119B.12, subdivision 2; 119B.13, subdivisions 1, 6; 144.0722, subdivision 1, as amended; 144.0724, subdivisions 4, 6; 144.122; 144.1501, subdivision 2; 144.4961, subdivisions 3, 4, 5; 144.551, subdivision 1; 144.562, subdivision 2; 144.99, subdivision 1; 144A.071, subdivisions 3, as amended, 4a, as amended, 4c, as amended, 4d, as amended; 144A.10, subdivision 4, as amended; 144A.351, subdivision 1; 144A.472, subdivision 7; 144A.4799, subdivision 3; 144A.70, subdivision 6, by adding a subdivision; 144A.74; 144D.04, subdivision 2, by adding a subdivision; 144D.06; 145.4131, subdivision 1; 145.4716, subdivision 2; 145.928, subdivision 13; 145.986, subdivision 1a; 146B.02, subdivisions 2, 3, 5, 8, by adding subdivisions; 146B.03, subdivisions 6, 7, as amended; 146B.07, subdivision 2; 146B.10, subdivisions 1, 2, by adding a subdivision; 147.01, subdivision 7; 147.02, subdivision 1; 147.03, subdivision 1; 147B.08, by adding a subdivision; 147C.40, by adding a subdivision; 148.514, subdivision 1; 148.519, subdivisions 1, 2; 148.5194, subdivisions 2, 3, 4, 7, by adding a subdivision; 148.5195, subdivision 2; 148.6402, subdivision 4; 148.6405; 148.6408, subdivision 2; 148.6410, subdivision 2; 148.6412, subdivision 2; 148.6415; 148.6418, subdivisions 1, 2, 4, 5; 148.6420, subdivisions 1, 3, 5; 148.6423; 148.6425, subdivisions 2, 3; 148.6428; 148.6443, subdivisions 5, 6, 7, 8; 148.6445, subdivisions 1, 10; 148.6448; 148.881; 148.89; 148.90, subdivisions 1, 2; 148.905, subdivision 1; 148.907, subdivisions 1, 2; 148.9105, subdivisions 1, 4, 5; 148.916, subdivisions 1, 1a; 148.925; 148.96, subdivision 3; 148.997, subdivision 1; 148B.53, subdivision 1; 150A.06, subdivisions 3, 8; 150A.10, subdivision 4; 151.212, subdivision 2; 152.11, by adding a subdivision; 152.25, subdivision 1, by adding subdivisions; 152.28, by adding a subdivision; 152.33, by adding a subdivision; 153A.14, subdivisions 1, 2; 153A.17; 157.16, subdivisions 1, 3, 3a; 214.01, subdivision 2; 245.462, subdivision 9; 245.467, subdivision 2; 245.4871, by adding subdivisions; 245.4876, subdivision 2; 245.4889, subdivision 1; 245.814, by adding a subdivision; 245.91, subdivisions 4, 6; 245.94, subdivision 1; 245.97, subdivision 6; 245A.02, subdivisions 2b, 5a, by adding subdivisions; 245A.03, subdivisions 2, 7; 245A.04, subdivisions 4, 14; 245A.06, subdivisions 2, 8, by adding a subdivision; 245A.07, subdivision 3; 245A.09, subdivision 7; 245A.10, subdivision 2; 245A.11, by adding subdivisions; 245A.14, by adding a subdivision; 245A.16, subdivision 1, by adding a subdivision; 245A.191; 245A.40, by adding a subdivision; 245A.50, subdivision 5; 245C.02, by adding a subdivision; 245C.03, subdivision 1, by adding a subdivision; 245C.04, subdivisions 1, 8; 245C.05, subdivisions 2b, 4, 5, 7; 245C.08, subdivisions 1, 2, 4; 245C.09, by adding a subdivision; 245C.10, subdivision 9, by adding subdivisions; 245C.11, subdivision 3; 245C.15; 245C.16, subdivision 1; 245C.17, subdivision 6; 245C.21, subdivision 1; 245C.22, subdivisions 5, 7; 245C.23; 245C.24, subdivision 3; 245C.25; 245C.30, subdivision 2; 245D.03, subdivision 1; 245D.04, subdivision 3; 246.18, subdivision 4, by adding a subdivision; 252.27, subdivision 2a; 252.41, subdivision 3; 252.50, subdivision 5; 253B.10, subdivision 1; 254A.01; 254A.02, subdivisions 2, 3, 5, 6, 8, 10, by adding subdivisions; 254A.03; 254A.035, subdivision 1; 254A.04; 254A.08; 254A.09; 254A.19, subdivision 3; 254B.01, subdivision 3, by adding a

subdivision; 254B.03, subdivision 2; 254B.04, subdivisions 1, 2b; 254B.05, subdivisions 1, 1a, 5; 254B.051; 254B.07; 254B.08; 254B.09; 254B.12, subdivision 2, by adding a subdivision; 254B.13, subdivision 2a; 256.01, by adding a subdivision; 256.045, subdivisions 3, 3a; 256.9657, subdivision 1; 256.9685, subdivisions 1, 1a; 256.9686, subdivision 8; 256.969, subdivisions 1, 2b, 3a, 8, 8c, 9, 12; 256.9695, subdivision 1; 256.975, subdivision 7, by adding a subdivision; 256B.04, subdivisions 12, 24; 256B.056, subdivisions 3b, 3c, 5c; 256B.0561, subdivisions 2, 4; 256B.057, subdivision 9, as amended; 256B.059, subdivision 6, as amended; 256B.0621, subdivision 10; 256B.0625, subdivisions 1, 3b, 6a, 7, 17, 17b, 18h, 20, 31, 45a, 64, by adding subdivisions; 256B.0644; 256B.0653, subdivisions 2, 3, 4, as amended, 5, 6, by adding a subdivision; 256B.072; 256B.0755, subdivisions 1, 3, 4, by adding a subdivision; 256B.0911, subdivisions 1a, 2b, 3a, 4d, as amended, 5, 6, as amended, by adding a subdivision; 256B.0915, subdivisions 1, 3a, 3e, 3h, 5, by adding subdivisions; 256B.092, subdivision 4; 256B.0921; 256B.0924, by adding a subdivision; 256B.0943, subdivision 13; 256B.0945, subdivisions 2, 4; 256B.196, subdivisions 2, 3, 4; 256B.35, subdivision 4, as amended; 256B.431, subdivisions 10, 16, 30; 256B.434, subdivisions 4, 4f; 256B.49, subdivisions 11, 15; 256B.4913, subdivision 4a, by adding a subdivision; 256B.4914, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 16, by adding a subdivision; 256B.493, subdivisions 1, 2, by adding a subdivision; 256B.50, subdivision 1b; 256B.5012, by adding subdivisions; 256B.69, subdivision 9e, by adding subdivisions; 256B.75; 256B.76, subdivisions 1, as amended, 2; 256B.761; 256B.763; 256B.766; 256C.21; 256C.23, subdivisions 1, 2, by adding subdivisions; 256C.233, subdivisions 1, 2, 4; 256C.24; 256C.25, subdivision 1; 256C.261; 256C.30; 256D.44, subdivisions 4, as amended, 5, as amended; 256E.30, subdivision 2; 256I.03, subdivision 8; 256I.04, subdivisions 1, 2d, 2g, 3; 256I.05, subdivisions 1a, 1c, 1e, 1j, 1m, by adding subdivisions; 256I.06, subdivisions 2, 8; 256J.45, subdivision 2; 256L.03, subdivisions 1, 1a, 5; 256L.11, subdivision 7, by adding a subdivision; 256L.15, subdivision 2; 256P.06, subdivision 2; 256P.07, subdivisions 3, 6; 256R.02, subdivisions 4, 17, 18, 19, 22, 42, 52, by adding subdivisions; 256R.06, subdivision 5; 256R.07, by adding a subdivision; 256R.10, by adding a subdivision; 256R.37; 256R.40, subdivisions 1, 5; 256R.41; 256R.47; 256R.49, subdivision 1; 260C.451, subdivision 6; 327.15, subdivision 3; 364.09; 609.5315, subdivision 5c; 626.556, subdivisions 2, 3, 3c, 4, 10d, 10e, 10f, 10i; Laws 2009, chapter 101, article 1, section 12; Laws 2012, chapter 247, article 4, section 47, as amended; article 6, section 2, subdivision 2; Laws 2013, chapter 108, article 15, section 2, subdivision 2; Laws 2015, chapter 71, article 14, section 3, subdivision 2, as amended; Laws 2017, chapter 2, article 1, sections 2, subdivision 3; 5; 7; Laws 2017, chapter 13, article 1, section 15; proposing coding for new law in Minnesota Statutes, chapters 103I; 119B; 137; 144; 147A; 148; 245; 245A; 256; 256B; 256I; 256N; 256R; proposing coding for new law as Minnesota Statutes, chapters 144H; 245G; repealing Minnesota Statutes 2016, sections 13.468; 103I.005, subdivisions 8, 14, 15; 103I.451; 119B.07; 144.0571; 144A.351, subdivision 2; 147A.21; 147B.08, subdivisions 1, 2, 3; 147C.40, subdivisions 1, 2, 3, 4; 148.6402, subdivision 2; 148.6450; 148.906; 148.907, subdivision 5; 148.908; 148.909, subdivision 7; 148.96, subdivisions 4, 5; 245A.1915; 245A.192; 254A.02, subdivision 4; 256B.19, subdivision 1c; 256B.4914, subdivision 16; 256B.64; 256B.7631; Laws 2012, chapter 247, article 4, section 47, as amended; Laws 2015, chapter 71, article 7, section 54; Minnesota Rules, parts 5600.2500; 9500.1140, subparts 3, 4, 5, 6; 9530.6405, subparts 1, 1a, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 15a, 16, 17, 17a, 17b, 17c, 18, 20, 21; 9530.6410; 9530.6415; 9530.6420; 9530.6422; 9530.6425; 9530.6430; 9530.6435; 9530.6440; 9530.6445; 9530.6450; 9530.6455; 9530.6460; 9530.6465; 9530.6470; 9530.6475; 9530.6480; 9530.6485; 9530.6490; 9530.6495; 9530.6500; 9530.6505.

SUSPENSION OF RULES

Senator Housley moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 2 and that the rules of the Senate be so far suspended as to give S.F. No. 2 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 2 was read the second time.

Senator Benson moved to amend S.F. No. 2 as follows:

Page 16, lines 30 to 32, reinstate the stricken language

Pages 45 to 51, delete sections 32 to 42 and insert:

"Sec. 32. Minnesota Statutes 2016, section 256C.23, is amended by adding a subdivision to read:

Subd. 1a. **Culturally affirmative.** "Culturally affirmative" describes services that are designed and delivered within the context of the culture, language, and life experiences of a person who is deaf, a person who is deafblind, and a person who is hard-of-hearing.

Sec. 33. Minnesota Statutes 2016, section 256C.23, subdivision 2, is amended to read:

Subd. 2. **Deaf.** "Deaf" means a hearing loss of such severity that the individual must depend primarily on visual communication such as American Sign Language or other signed language, visual and manual means of communication such as signing systems in English or Cued Speech, writing, lip speech reading, manual communication, and gestures.

Sec. 34. Minnesota Statutes 2016, section 256C.23, is amended by adding a subdivision to read:

Subd. 2c. **Interpreting services.** "Interpreting services" means services that include:

(1) interpreting between a spoken language, such as English, and a visual language, such as American Sign Language;

(2) interpreting between a spoken language and a visual representation of a spoken language, such as Cued Speech and signing systems in English;

(3) interpreting within one language where the interpreter uses natural gestures and silently repeats the spoken message, replacing some words or phrases to give higher visibility on the lips;

(4) interpreting using low vision or tactile methods for persons who have a combined hearing and vision loss or are deafblind; and

(5) interpreting from one communication mode or language into another communication mode or language that is linguistically and culturally appropriate for the participants in the communication exchange.

Sec. 35. Minnesota Statutes 2016, section 256C.23, is amended by adding a subdivision to read:

Subd. 6. **Real-time captioning.** "Real-time captioning" means a method of captioning in which a caption is simultaneously prepared and displayed or transmitted at the time of origination by specially trained real-time captioners.

Sec. 36. Minnesota Statutes 2016, section 256C.233, subdivision 1, is amended to read:

Subdivision 1. **Deaf and Hard-of-Hearing Services Division.** ~~The commissioners of human services, education, employment and economic development, and health shall create a distinct and separate organizational unit to be known as~~ advise the commissioner of human services on the activities of the Deaf and Hard-of-Hearing Services Division to address. This division addresses the developmental, social, educational, and occupational and social-emotional needs of persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons through a statewide network of collaborative services and by coordinating the promulgation of public policies, regulations, legislation, and programs affecting advocates on behalf of and provides information and training about how to best serve persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons. An interdepartmental management team shall advise the activities of the Deaf and Hard-of-Hearing Services Division. The commissioner of human services shall coordinate the work of the interagency ~~management team~~ advisers and receive legislative appropriations for the division.

Sec. 37. Minnesota Statutes 2016, section 256C.233, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** The Deaf and Hard-of-Hearing Services Division shall:

(1) ~~establish and maintain a statewide network of regional service centers~~ culturally affirmative services for Minnesotans who are deaf, Minnesotans who are deafblind, and Minnesotans who are hard-of-hearing Minnesotans;

(2) ~~assist work across divisions within the Departments Department of Human Services, Education, and Employment and Economic Development to coordinate the promulgation and implementation of public policies, regulations, legislation, programs, and services affecting~~ as well as with other agencies and counties, to ensure that there is an understanding of:

(i) the communication challenges faced by persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons;

(ii) the best practices for accommodating and mitigating communication challenges; and

(iii) the legal requirements for providing access to and effective communication with persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing; and

(3) ~~provide a coordinated system of~~ assess the supply and demand statewide interpreting or for interpreter referral services; and real-time captioning services, implement strategies to provide greater access to these services in areas without sufficient supply, and build the base of service providers across the state;

(4) maintain a statewide information resource that includes contact information and professional certification credentials of interpreting service providers and real-time captioning service providers;

(5) provide culturally affirmative mental health services to persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing who:

(i) use a visual language such as American Sign Language or a tactile form of a language; or

(ii) otherwise need culturally affirmative therapeutic services;

(6) research and develop best practices and recommendations for emerging issues;

(7) provide as much information as practicable on the division's stand-alone Web site in American Sign Language; and

(8) report to the chairs and ranking minority members of the legislative committees with jurisdiction over human services biennially, beginning on January 1, 2019, on the following:

(i) the number of regional service center staff, the location of the office of each staff person, other service providers with which they are colocated, the number of people served by each staff person and a breakdown of whether each person was served on-site or off-site, and for those served off-site, a list of locations where services were delivered and the number who were served in-person and the number who were served via technology;

(ii) the amount and percentage of the division budget spent on reasonable accommodations for staff;

(iii) the number of people who use demonstration equipment and consumer evaluations of the experience;

(iv) the number of training sessions provided by division staff, the topics covered, the number of participants, and consumer evaluations, including a breakdown by delivery method such as in-person or via technology;

(v) the number of training sessions hosted at a division location provided by another service provider, the topics covered, the number of participants, and consumer evaluations, including a breakdown by delivery method such as in-person or via technology;

(vi) for each grant awarded, the amount awarded to the grantee and a summary of the grantee's results, including consumer evaluations of the services or products provided;

(vii) the number of people on waiting lists for any services provided by division staff or for services or equipment funded through grants awarded by the division;

(viii) the amount of time staff spent driving to appointments to deliver direct one-to-one client services in locations outside of the regional service centers; and

(ix) the regional needs and feedback on addressing service gaps identified by the advisory committees.

Sec. 38. Minnesota Statutes 2016, section 256C.24, subdivision 1, is amended to read:

Subdivision 1. **Location.** The Deaf and Hard-of-Hearing Services Division shall establish ~~up to eight~~ at least six regional service centers for persons who are deaf and persons who are hard-of-hearing persons. The centers shall be distributed regionally to provide access for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons in all parts of the state.

Sec. 39. Minnesota Statutes 2016, section 256C.24, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** Each regional service center shall:

(1) ~~serve as a central entry point for~~ establish connections and collaborations and explore co-locating with other public and private entities providing services to persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons in need of services and make referrals to the services needed in the region;

(2) for those in need of services, assist in coordinating services between service providers and persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing, and the persons' families, and make referrals to the services needed;

~~(2)~~ (3) employ staff trained to work with persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons;

~~(3)~~ (4) if adequate services are not available from another public or private service provider in the region, provide to all individual assistance to persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons access to interpreter services which are necessary to help them obtain services, and the persons' families. Individual culturally affirmative assistance may be provided using technology only in areas of the state where a person has access to sufficient quality telecommunications or broadband services to allow effective communication. When a person who is deaf, a person who is deafblind, or a person who is hard-of-hearing does not have access to sufficient telecommunications or broadband service, individual assistance shall be available in person;

(5) identify regional training needs, work with deaf and hard-of-hearing services training staff, and collaborate with others to deliver training for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing, and the persons' families, and other service providers about subjects including the persons' rights under the law, American Sign Language, and the impact of hearing loss and options for accommodating it;

~~(4) implement a plan to provide loaned equipment and resource materials to deaf, deafblind, and hard-of-hearing~~ (6) have a mobile or permanent lab where persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing can try a selection of modern assistive technology and equipment to determine what would best meet the persons' needs;

~~(5) cooperate with responsible departments and administrative authorities to provide access for deaf, deafblind, and hard-of-hearing persons to services provided by state, county, and regional agencies;~~

~~(6)~~ (7) collaborate with the Resource Center for the Deaf and Hard-of-Hearing Persons, other divisions of the Department of Education; and local school districts to develop and deliver programs

and services for families with children who are deaf, children who are deafblind, or children who are hard-of-hearing children and to support school personnel serving these children;

~~(7) when possible,~~ (8) provide training to the social service or income maintenance staff employed by counties or by organizations with whom counties contract for services to ensure that communication barriers which prevent persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons from using services are removed;

~~(8) when possible,~~ (9) provide training to state and regional human service agencies in the region regarding program access for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons; and

~~(9) (10) assess the ongoing need and supply of services for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing persons in all parts of the state, annually consult with the division's advisory committees to identify regional needs and solicit feedback on addressing service gaps, and cooperate with public and private service providers to develop these services;~~

(11) provide culturally affirmative mental health services to persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing who:

(i) use a visual language such as American Sign Language or a tactile form of a language; or

(ii) otherwise need culturally affirmative therapeutic services; and

(12) establish partnerships with state and regional entities statewide that have the technological capacity to provide Minnesotans with virtual access to the division's services and division-sponsored training via technology.

Sec. 40. Minnesota Statutes 2016, section 256C.24, subdivision 3, is amended to read:

Subd. 3. **Advisory committee.** The director of the Deaf and Hard-of-Hearing Services Division shall appoint ~~an advisory committee~~ eight advisory committees of up to nine persons for each regional service area per advisory committee. Each committee shall represent a specific region of the state. The director shall determine the boundaries of each advisory committee region. The committees shall advise the director on the needs of persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing and service gaps in the region of the state the committee represents. Members shall include persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing, persons who have communication disabilities, parents of children who are deaf and parents of children who are hard-of-hearing, parents of children who have communication disabilities, and representatives of county and regional human services, including representatives of private service providers. At least 50 percent of the members must be deaf or deafblind or hard-of-hearing or have a communication disability. Committee members shall serve for a three-year term and shall serve no more than two consecutive terms, and may be appointed to consecutive terms. Each advisory committee shall elect a chair. The director of the Deaf and Hard-of-Hearing Services Division shall assign staff to serve as nonvoting members of the committee. Members shall not receive a per diem. Otherwise, the compensation, removal of members, and filling of vacancies on the committee shall be as provided in section 15.0575.

Sec. 41. Minnesota Statutes 2016, section 256C.261, is amended to read:

256C.261 SERVICES FOR PERSONS WHO ARE DEAFBLIND PERSONS.

~~(a) The commissioner of human services shall combine the existing biennial base level funding for deafblind services into a single grant program. At least 35 percent of the total funding is awarded for services and other supports to deafblind children and their families and at least 25 percent is awarded for services and other supports to deafblind adults.~~ use at least 35 percent of the deafblind services biennial base level grant funding for services and other supports for a child who is deafblind and the child's family. The commissioner shall use at least 25 percent of the deafblind services biennial base level grant funding for services and other supports for an adult who is deafblind.

The commissioner shall award grants for the purposes of:

(1) providing services and supports to ~~individuals~~ persons who are deafblind; and

(2) developing and providing training to counties and the network of senior citizen service providers. The purpose of the training grants is to teach counties how to use existing programs that capture federal financial participation to meet the needs of eligible persons who are deafblind persons and to build capacity of senior service programs to meet the needs of seniors with a dual sensory hearing and vision loss.

(b) The commissioner may make grants:

(1) for services and training provided by organizations; and

(2) to develop and administer consumer-directed services.

(c) Consumer-directed services shall be provided in whole by grant-funded providers. The deaf and hard-of-hearing regional service centers shall not provide any aspect of a grant-funded consumer-directed services program.

~~(d)~~ (d) Any entity that is able to satisfy the grant criteria is eligible to receive a grant under paragraph (a).

~~(e)~~ (e) Deafblind service providers may, but are not required to, provide intervenor services as part of the service package provided with grant funds under this section."

Page 56, after line 15, insert:

"Sec. 49. DIRECTION TO COMMISSIONER; TELECOMMUNICATION EQUIPMENT PROGRAM.

The commissioner of human services shall work in consultation with the Commission of Deaf, Deafblind, and Hard-of-Hearing Minnesotans to provide recommendations by January 15, 2018, to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over human services to modernize the telecommunication equipment program. The recommendations must address:

(1) types of equipment and supports the program should provide to ensure people with communication difficulties have equitable access to telecommunications services;

(2) additional services the program should provide, such as education about technology options that can improve a person's access to telecommunications services; and

(3) how the current program's service delivery structure might be improved to better meet the needs of people with communication disabilities.

The commissioner shall also provide draft legislative language to accomplish the recommendations. Final recommendations, the final report, and draft legislative language must be approved by both the commissioner and the chair of the Commission of Deaf, Deafblind, and Hard-of-Hearing Minnesotans.

Sec. 50. DIRECTION TO COMMISSIONER; BILLING FOR MENTAL HEALTH SERVICES.

By January 1, 2018, the commissioner of human services shall report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over deaf and hard-of-hearing services on the potential costs and benefits of the Deaf and Hard-of-Hearing Services Division billing for the cost of providing mental health services."

Page 56, line 30, delete "study" and insert "evaluation"

Page 57, line 5, delete everything after the period

Page 57, delete lines 6 and 7

Page 57, after line 25, insert:

"(d) Minnesota Statutes 2016, sections 256C.23, subdivision 3; 256C.233, subdivision 4; and 256C.25, subdivisions 1 and 2, are repealed."

Page 60, line 10, after the period, insert "When approving an exception under this paragraph, the commissioner shall consider the resource need determination process in paragraph (h), the availability of foster care licensed beds in the geographic area in which the licensee seeks to operate, the results of a person's choices during their annual assessment and service plan review, and the recommendation of the local county board. The determination by the commissioner is final and not subject to appeal."

Page 60, line 27, delete the new language

Page 60, delete lines 28 to 31

Page 60, line 32, delete everything before the semicolon

Page 63, line 5, strike everything after the period

Page 63, lines 6 and 7, strike the old language and delete the new language

Page 63, lines 8 and 9, strike the old language

Page 96, line 7, reinstate the stricken language

Page 96, line 8, reinstate the stricken language and delete the new language

Page 96, line 18, reinstate the stricken language

Page 96, line 19, reinstate the stricken language and delete the new language

Page 150, delete section 50

Page 172, line 5, delete "2018" and insert "2019"

Page 190, line 24, delete "recipient's"

Page 190, line 25, delete "of residence" and insert "providing the services"

Page 197, after line 22, insert:

"EFFECTIVE DATE. This section is effective January 1, 2018."

Page 198, after line 25, insert:

"EFFECTIVE DATE. This section is effective January 1, 2018, or upon federal approval, whichever is later."

Page 201, line 21, after "payments" insert ", including the voluntary intergovernmental transfers,"

Page 210, line 3, after "This" insert "rate"

Page 210, line 4, delete "Payments" and insert "This rate increase does not apply to managed care plans and county-based purchasing plans."

Page 210, delete lines 5 and 6

Page 212, line 24, after "prosthetics" insert a comma, and strike ", and laboratory services"

Page 220, line 9, delete "to verify eligibility"

Page 227, line 21, after "report" insert ", and any medical and behavioral information available" and strike "promptly" and insert "at the time of admission of a patient" and after "the" insert "designated"

Page 241, after line 14, insert:

"Sec. 14. Minnesota Statutes 2016, section 119B.09, subdivision 9a, is amended to read:

Subd. 9a. **Child care centers; assistance.** (a) ~~For the purposes of this subdivision, "qualifying child" means a child who is not a child or dependent of an employee of the child care provider. A~~ child care center may receive authorizations for 25 or fewer children who are dependents of the center's employees. If a child care center is authorized for more than 25 children who are dependents of center employees, the county cannot authorize additional dependents of an employee until the number of children falls below 25.

~~(b) Funds distributed under this chapter must not be paid for child care services that are provided for a child or dependent of an employee under paragraph (a) unless at all times at least 50 percent of the children for whom the child care provider is providing care are qualifying children under paragraph (a).~~

~~(c) If a child care provider satisfies the requirements for payment under paragraph (b), but the percentage of qualifying children under paragraph (a) for whom the provider is providing care falls below 50 percent, the provider shall have four weeks to raise the percentage of qualifying children for whom the provider is providing care to at least 50 percent before payments to the provider are discontinued for child care services provided for a child who is not a qualifying child.~~

~~(d) This subdivision shall be implemented as follows:~~

~~(1) no later than August 1, 2014, the commissioner shall issue a notice to providers who have been identified as ineligible for funds distributed under this chapter as described in paragraph (b); and~~

~~(2) no later than January 5, 2015, payments to providers who do not comply with paragraph (c) will be discontinued for child care services provided for children who are not qualifying children.~~

~~(e) If a child's authorization for child care assistance is terminated under this subdivision, the county shall send a notice of adverse action to the provider and to the child's parent or guardian, including information on the right to appeal, under Minnesota Rules, part 3400.0185.~~

~~(f) (b) Funds paid to providers during the period of time between the issuance of a notice under paragraph (d), clause (1), and discontinuation of payments under paragraph (d), clause (2), when a center is authorized for more than 25 children who are dependents of center employees must not be treated as overpayments under section 119B.11, subdivision 2a, due to noncompliance with this subdivision.~~

~~(g) (c) Nothing in this subdivision precludes the commissioner from conducting fraud investigations relating to child care assistance, imposing sanctions, and obtaining monetary recovery as otherwise provided by law.~~

EFFECTIVE DATE. This section is effective April 23, 2018."

Page 331, line 20, delete "2018" and insert "2019"

Page 331, line 29, delete "245G.22" and insert "245G.21"

Page 384, lines 1 and 2, delete "2019" and insert "2020"

Page 397, line 31, delete "2019" and insert "2020"

Page 398, line 1, delete "2019" and insert "2020"

Page 399, after line 3, insert:

"Sec. 69. Minnesota Statutes 2016, section 144A.474, subdivision 11, is amended to read:

Subd. 11. **Fines.** (a) Fines and enforcement actions under this subdivision may be assessed based on the level and scope of the violations described in paragraph (c) as follows:

(1) Level 1, no fines or enforcement;

(2) Level 2, fines ranging from \$0 to \$500, in addition to any of the enforcement mechanisms authorized in section 144A.475 for widespread violations;

(3) Level 3, fines ranging from \$500 to \$1,000, in addition to any of the enforcement mechanisms authorized in section 144A.475; and

(4) Level 4, fines ranging from \$1,000 to \$5,000, in addition to any of the enforcement mechanisms authorized in section 144A.475.

(b) Correction orders for violations are categorized by both level and scope and fines shall be assessed as follows:

(1) level of violation:

(i) Level 1 is a violation that has no potential to cause more than a minimal impact on the client and does not affect health or safety;

(ii) Level 2 is a violation that did not harm a client's health or safety but had the potential to have harmed a client's health or safety, but was not likely to cause serious injury, impairment, or death;

(iii) Level 3 is a violation that harmed a client's health or safety, not including serious injury, impairment, or death, or a violation that has the potential to lead to serious injury, impairment, or death; and

(iv) Level 4 is a violation that results in serious injury, impairment, or death.

(2) scope of violation:

(i) isolated, when one or a limited number of clients are affected or one or a limited number of staff are involved or the situation has occurred only occasionally;

(ii) pattern, when more than a limited number of clients are affected, more than a limited number of staff are involved, or the situation has occurred repeatedly but is not found to be pervasive; and

(iii) widespread, when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the clients.

(c) If the commissioner finds that the applicant or a home care provider required to be licensed under sections 144A.43 to 144A.482 has not corrected violations by the date specified in the correction order or conditional license resulting from a survey or complaint investigation, the commissioner may impose a fine. A notice of noncompliance with a correction order must be mailed to the applicant's or provider's last known address. The noncompliance notice must list the violations not corrected.

(d) The license holder must pay the fines assessed on or before the payment date specified. If the license holder fails to fully comply with the order, the commissioner may issue a second fine or suspend the license until the license holder complies by paying the fine. A timely appeal shall stay payment of the fine until the commissioner issues a final order.

(e) A license holder shall promptly notify the commissioner in writing when a violation specified in the order is corrected. If upon reinspection the commissioner determines that a violation has not been corrected as indicated by the order, the commissioner may issue a second fine. The commissioner shall notify the license holder by mail to the last known address in the licensing record that a second fine has been assessed. The license holder may appeal the second fine as provided under this subdivision.

(f) A home care provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14.

(g) When a fine has been assessed, the license holder may not avoid payment by closing, selling, or otherwise transferring the licensed program to a third party. In such an event, the license holder shall be liable for payment of the fine.

(h) In addition to any fine imposed under this section, the commissioner may assess costs related to an investigation that results in a final order assessing a fine or other enforcement action authorized by this chapter.

(i) Fines collected under this subdivision shall be deposited in the state government special revenue fund and credited to an account separate from the revenue collected under section 144A.472. Subject to an appropriation by the legislature, the revenue from the fines collected ~~may~~ must be used by the commissioner for special projects to improve home care in Minnesota as recommended by the advisory council established in section 144A.4799."

Page 428, line 26, delete "shall" and insert "may"

Page 549, after line 15, insert:

"Sec. 7. Minnesota Statutes 2016, section 245A.40, subdivision 1, is amended to read:

Subdivision 1. **Orientation.** The child care center license holder must ensure that every staff person and volunteer is given orientation training and successfully completes the training before starting assigned duties. The orientation training in this subdivision applies to volunteers who will have direct contact with or access to children and who are not under the direct supervision of a staff person. Completion of the orientation must be documented in the individual's personnel record. The orientation training must include information about:

(1) the center's philosophy, child care program, and procedures for maintaining health and safety according to section 245A.41 and Minnesota Rules, part 9503.0140, and handling emergencies and accidents according to Minnesota Rules, part 9503.0110;

(2) specific job responsibilities;

(3) the behavior guidance standards in Minnesota Rules, part 9503.0055; and

(4) the reporting responsibilities in section 626.556, and Minnesota Rules, part 9503.0130.

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

Sec. 8. Minnesota Statutes 2016, section 245A.40, subdivision 2, is amended to read:

Subd. 2. **Child growth and development and learning training.** (a) For purposes of child care centers, the director and all staff hired after July 1, 2006, shall complete and document at least two hours of child ~~growth and development and learning~~ training within the first year 90 days of employment. For purposes of this subdivision, "child ~~growth and development and learning~~ training" means training in understanding how children ~~acquire language and~~ develop physically, cognitively, emotionally, and socially and learn as part of the children's family, culture, and community. Training completed under this subdivision may be used to meet ~~the orientation training requirements under subdivision 1 and~~ the in-service training requirements under subdivision 7.

(b) Notwithstanding paragraph (a), individuals are exempt from this requirement if they:

(1) have taken a three-credit college course on early childhood development within the past five years;

(2) have received a baccalaureate or master's degree in early childhood education or school-age child care within the past five years;

(3) are licensed in Minnesota as a prekindergarten teacher, an early childhood educator, a kindergarten to sixth grade teacher with a prekindergarten specialty, an early childhood special education teacher, or an elementary teacher with a kindergarten endorsement; or

(4) have received a baccalaureate degree with a Montessori certificate within the past five years.

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

Sec. 9. Minnesota Statutes 2016, section 245A.40, subdivision 3, is amended to read:

Subd. 3. **First aid.** (a) All teachers and assistant teachers in a child care center governed by Minnesota Rules, parts 9503.0005 to 9503.0170, and at least one staff person during field trips and when transporting children in care, must satisfactorily complete pediatric first aid training within 90 days of the start of work, unless the training has been completed within the previous ~~three~~ two years.

(b) Notwithstanding paragraph (a), which allows 90 days to complete training, at least one staff person who has satisfactorily completed pediatric first aid training must be present at all times in the center, during field trips, and when transporting children in care.

(c) The pediatric first aid training must be repeated at least every ~~three~~ two years, documented in the person's personnel record and indicated on the center's staffing chart, and provided by an individual approved as a first aid instructor. This training may be less than eight hours.

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

Sec. 10. Minnesota Statutes 2016, section 245A.40, subdivision 4, is amended to read:

Subd. 4. **Cardiopulmonary resuscitation.** (a) All teachers and assistant teachers in a child care center governed by Minnesota Rules, parts 9503.0005 to 9503.0170, and at least one staff person during field trips and when transporting children in care, must satisfactorily complete training in cardiopulmonary resuscitation (CPR) that includes CPR techniques for infants and children and in the treatment of obstructed airways. The CPR training must be completed within 90 days of the start of work, unless the training has been completed within the previous ~~three~~ two years. The CPR training must have been provided by an individual approved to provide CPR instruction, must be repeated at least once every ~~three~~ two years, and must be documented in the staff person's records.

(b) Notwithstanding paragraph (a), which allows 90 days to complete training, at least one staff person who has satisfactorily completed cardiopulmonary resuscitation training must be present at all times in the center, during field trips, and when transporting children in care.

(c) CPR training may be provided for less than four hours.

(d) Persons providing CPR training must use CPR training that has been developed:

(1) by the American Heart Association or the American Red Cross and incorporates psychomotor skills to support the instruction; or

(2) using nationally recognized, evidence-based guidelines for CPR and incorporates psychomotor skills to support the instruction.

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

Sec. 11. Minnesota Statutes 2016, section 245A.40, subdivision 7, is amended to read:

Subd. 7. **In-service.** (a) A license holder must ensure that ~~an annual in-service training plan is developed and carried out and that it meets the requirements in clauses (1) to (7). The in-service training plan must:~~ the center director and all staff who have direct contact with a child complete annual in-service training. In-service training requirements must be met by a staff person's participation in the following training areas:

~~(1) be consistent with the center's child care program plan;~~

~~(2) meet the training needs of individual staff persons as specified in each staff person's annual evaluation report;~~

~~(3) provide training, at least one-fourth of which is by a resource not affiliated with the license holder;~~

~~(4) include Minnesota Rules, parts 9503.0005 to 9503.0170, relevant to the staff person's position and must occur within two weeks of initial employment;~~

~~(5) provide that at least one-half of the annual in-service training completed by a staff person each year pertains to the age of children for which the person is providing care;~~

~~(6) provide that no more than four hours of each annual in-service training requirement relate to administration, finances, and records training for a teacher, assistant teacher, or aide; and~~

~~(7) provide that the remainder of the in-service training requirement be met by participation in training in child growth and development; learning environment and curriculum; assessment and planning for individual needs; interactions with children; families and communities; health, safety, and nutrition; and program planning and evaluation.~~

(1) child development and learning;

(2) developmentally appropriate learning experiences;

(3) relationships with families;

(4) assessment, evaluation, and individualization;

(5) historical and contemporary development of early childhood education;

(6) professionalism; and

(7) health, safety, and nutrition.

(b) For purposes of this subdivision, the following terms have the meanings given them.

(1) "Child ~~growth and development and learning~~ training" has the meaning given it in subdivision 2, paragraph (a).

~~(2) "Learning environment and curriculum" means training in establishing an environment that provides learning experiences to meet each child's needs, capabilities, and interests, including early childhood education methods or theory, recreation, sports, promoting creativity in the arts, arts and crafts methods or theory, and early childhood special education methods or theory.~~

~~(3) "Assessment and planning for individual needs" means training in observing and assessing what children know and can do in order to provide curriculum and instruction that addresses their developmental and learning needs, including children with special needs.~~

~~(4) "Interactions with children" means training in establishing supportive relationships with children and guiding them as individuals and as part of a group, including child study techniques and behavior guidance.~~

~~(5) "Families and communities" means training in working collaboratively with families, agencies, and organizations to meet children's needs and to encourage the community's involvement, including family studies and parent involvement.~~

~~(6) "Health, safety, and nutrition" means training in establishing and maintaining an environment that ensures children's health, safety, and nourishment, including first aid, cardiopulmonary resuscitation, child nutrition, and child abuse and neglect prevention.~~

~~(7) "Program planning and evaluation" means training in establishing, implementing, evaluating, and enhancing program operations.~~

(2) "Developmentally appropriate learning experiences" means creating positive learning experiences, promoting cognitive development, promoting social and emotional development, promoting physical development, and promoting creative development.

(3) "Relationships with families" means training on building a positive, respectful relationship with the child's family.

(4) "Assessment, evaluation, and individualization" means training in observing, recording, and assessing development; assessing and using information to plan; and assessing and using information to enhance and maintain program quality.

(5) "Historical and contemporary development of early childhood education" means training in past and current practices in early childhood education and how current events and issues affect children, families, and programs.

(6) "Professionalism" means training in knowledge, skills, and abilities that promote ongoing professional development.

(7) "Health, safety, and nutrition" means training in establishing health practices, ensuring safety, and providing healthy nutrition.

(c) The director and all program staff persons must annually complete a number of hours of in-service training equal to at least two percent of the hours for which the director or program staff person is annually paid, unless one of the following is applicable.

(1) A teacher at a child care center must complete one percent of working hours of in-service training annually if the teacher:

(i) possesses a baccalaureate or master's degree in early childhood education or school-age care;

(ii) is licensed in Minnesota as a prekindergarten teacher, an early childhood educator, a kindergarten to sixth grade teacher with a prekindergarten specialty, an early childhood special education teacher, or an elementary teacher with a kindergarten endorsement; or

(iii) possesses a baccalaureate degree with a Montessori certificate.

(2) A teacher or assistant teacher at a child care center must complete one and one-half percent of working hours of in-service training annually if the individual is:

(i) a registered nurse or licensed practical nurse with experience working with infants;

(ii) possesses a Montessori certificate, a technical college certificate in early childhood development, or a child development associate certificate; or

(iii) possesses an associate of arts degree in early childhood education, a baccalaureate degree in child development, or a technical college diploma in early childhood development.

(d) The number of required training hours may be prorated for individuals not employed full time or for an entire year.

(e) The annual in-service training must be completed within the calendar year for which it was required. In-service training completed by staff persons is transferable upon a staff person's change in employment to another child care program.

(f) The license holder must ensure that, when a staff person completes in-service training, the training is documented in the staff person's personnel record. The documentation must include the date training was completed, the goal of the training and topics covered, trainer's name and organizational affiliation, trainer's signed statement that training was successfully completed, and the director's approval of the training.

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

Page 551, after line 28, insert:

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

Page 551, after line 28, insert:

"Sec. 14. Minnesota Statutes 2016, section 245A.50, subdivision 2, is amended to read:

Subd. 2. **Child ~~growth and development and learning and behavior guidance training.~~** (a) For purposes of family and group family child care, the license holder and each adult caregiver who provides care in the licensed setting for more than 30 days in any 12-month period shall complete and document at least four hours of child growth and ~~development~~ learning and behavior guidance training prior to initial licensure, and before caring for children. For purposes of this subdivision, "child ~~growth and development and learning~~ training" means training in understanding how children ~~acquire language and~~ develop physically, cognitively, emotionally, and socially and learn as part of the children's family, culture, and community. "Behavior guidance training" means training in the understanding of the functions of child behavior and strategies for managing challenging situations. At least two hours of child growth and development and learning or behavior guidance training must be repeated annually. Training curriculum shall be developed or approved by the commissioner of human services ~~by January 1, 2014.~~

(b) Notwithstanding paragraph (a), individuals are exempt from this requirement if they:

(1) have taken a three-credit course on early childhood development within the past five years;

(2) have received a baccalaureate or master's degree in early childhood education or school-age child care within the past five years;

(3) are licensed in Minnesota as a prekindergarten teacher, an early childhood educator, a kindergarten to grade 6 teacher with a prekindergarten specialty, an early childhood special education teacher, or an elementary teacher with a kindergarten endorsement; or

(4) have received a baccalaureate degree with a Montessori certificate within the past five years.

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

Sec. 15. Minnesota Statutes 2016, section 245A.50, subdivision 7, is amended to read:

Subd. 7. **Training requirements for family and group family child care.** For purposes of family and group family child care, the license holder and each primary caregiver must complete 16 hours of ongoing training each year. For purposes of this subdivision, a primary caregiver is an adult caregiver who provides services in the licensed setting for more than 30 days in any 12-month period. Repeat of topical training requirements in subdivisions 2 to 8 shall count toward the annual 16-hour training requirement. Additional ongoing training subjects to meet the annual 16-hour training requirement must be selected from the following areas:

- (1) ~~child growth and development and learning training under subdivision 2, paragraph (a);~~
 - (2) ~~learning environment and curriculum, including training in establishing an environment and providing activities that provide learning experiences to meet each child's needs, capabilities, and interests;~~
 - (3) ~~assessment and planning for individual needs, including training in observing and assessing what children know and can do in order to provide curriculum and instruction that addresses their developmental and learning needs, including children with special needs and bilingual children or children for whom English is not their primary language;~~
 - (4) ~~interactions with children, including training in establishing supportive relationships with children, guiding them as individuals and as part of a group;~~
 - (5) ~~families and communities, including training in working collaboratively with families and agencies or organizations to meet children's needs and to encourage the community's involvement;~~
 - (6) ~~health, safety, and nutrition, including training in establishing and maintaining an environment that ensures children's health, safety, and nourishment, including child abuse, maltreatment, prevention, and reporting; home and fire safety; child injury prevention; communicable disease prevention and control; first aid; and CPR;~~
 - (7) ~~program planning and evaluation, including training in establishing, implementing, evaluating, and enhancing program operations; and~~
 - (8) ~~behavior guidance, including training in the understanding of the functions of child behavior and strategies for managing behavior.~~
- (2) developmentally appropriate learning experiences, including training in creating positive learning experiences, promoting cognitive development, promoting social and emotional development, promoting physical development, promoting creative development; and behavior guidance;
 - (3) relationships with families, including training in building a positive, respectful relationship with the child's family;
 - (4) assessment, evaluation, and individualization, including training in observing, recording, and assessing development; assessing and using information to plan; and assessing and using information to enhance and maintain program quality;

(5) historical and contemporary development of early childhood education, including training in past and current practices in early childhood education and how current events and issues affect children, families, and programs;

(6) professionalism, including training in knowledge, skills, and abilities that promote ongoing professional development; and

(7) health, safety, and nutrition, including training in establishing healthy practices; ensuring safety; and providing healthy nutrition.

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

Sec. 16. Minnesota Statutes 2016, section 245A.50, subdivision 9, is amended to read:

Subd. 9. **Supervising for safety; training requirement.** ~~Effective July 1, 2014~~ (a) Before initial licensure and before caring for a child, all family child care license holders and each adult caregiver who provides care in the licensed family child care home for more than 30 days in any 12-month period shall complete and document at least six hours of approved training on supervising for safety prior to initial licensure, and before caring for children. At least two hours of training on supervising for safety must be repeated annually. For purposes of this subdivision, "supervising for safety" includes supervision basics, supervision outdoors, equipment and materials, illness, injuries, and disaster preparedness. The commissioner shall develop the supervising for safety curriculum by January 1, 2014. the completion of the six-hour Supervising for Safety for Family Child Care course developed by the commissioner.

(b) The family child care license holder and each adult caregiver who provides care in the licensed family child care home for more than 30 days in any 12-month period shall complete and document:

(1) the annual completion of a two-hour active supervision course developed by the commissioner; and

(2) the completion at least once every five years of the two-hour courses Health and Safety I and Health and Safety II. A license holder's or adult caregiver's completion of either training in a given year meets the annual active supervision training requirement in clause (1)."

Page 557, after line 11, insert:

"(l) Before and after school programs authorized under chapter 119B, are exempt from the background study requirements under section 123B.03, or an employee for whom a background study under this chapter has been completed."

Page 561, line 32, delete the period, and insert a comma

Page 564, line 4, delete the new language and insert a comma

Page 564, delete line 5

Page 564, line 6, delete the new language and after the comma, insert "child care centers, certified license-exempt child care centers, and legal nonlicensed child care authorized under chapter 119B,"

Page 564, line 15, delete "\$30" and insert "\$40"

Page 573, line 30, delete the second "center"

Page 580, lines 19 and 25, delete everything after "effective" and insert "August 1, 2017."

Page 581, lines 12 and 28, delete everything after "effective" and insert "August 1, 2017."

Page 582, line 9, delete everything after "effective" and insert "August 1, 2017."

Page 583, lines 5 and 17, delete everything after "effective" and insert "August 1, 2017."

Page 584, line 21, delete everything after "effective" and insert "August 1, 2017."

Page 586, line 1, delete everything after "effective" and insert "August 1, 2017."

Page 589, line 14, delete everything after "effective" and insert "August 1, 2017."

Page 597, line 22, delete everything after "effective" and insert "August 1, 2017."

Page 598, line 24, delete everything after "effective" and insert "August 1, 2017."

Page 599, delete line 11

Page 600, line 9, delete everything after "effective" and insert "August 1, 2017."

Page 601, line 32, delete everything after "effective" and insert "August 1, 2017."

Page 604, line 12, delete everything after "effective" and insert "August 1, 2017."

Page 605, line 7, delete everything after "effective" and insert "August 1, 2017."

Page 608, line 1, delete everything after "effective" and insert "August 1, 2017."

Page 608, after line 1, insert:

"Sec. 68. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall change all Minnesota Statutes, chapter 245G, references in this article to chapter 245H."

Page 610, line 1, delete "7,550,197,000" and insert "7,548,395,000" and delete "7,656,412,000" and insert "7,654,331,000"

Page 610, line 8, delete "278,051,000" and insert "276,249,000" and delete "268,985,000" and insert "266,904,000"

Page 617, line 8, after the period, insert "Starting in fiscal year 2019, 20 percent of this appropriation each year must be used for technology improvements, technology support, and training for staff on the use of technology for external facing services to implement Minnesota Statutes, section 256C.24, subdivision 2, clause (12)."

Page 618, line 16, after the period, insert "The base for this purpose is \$293,000 in fiscal year 2020 and \$293,000 in fiscal year 2021."

Page 618, after line 24, insert:

"(h) **Waiver Consolidation Study.** \$110,000 in fiscal year 2018 and \$140,000 in fiscal year 2019 are to conduct a study on consolidating the four disability home and community-based services waivers into one program. The commissioner of human services shall submit recommendations to the chairs and ranking minority members of the legislative committees with oversight over health and human services by January 15, 2019. This is a onetime appropriation."

Page 618, line 25, delete "(h)" and insert "(i)"

Page 620, line 6, delete "5,174,539,000" and insert "5,174,139,000" and delete "5,172,692,000" and insert "5,172,292,000"

Page 620, line 34, delete everything after "to"

Page 620, line 35, delete "in" and after "(1)" insert ", and subdivision 7, paragraph (f)"

Page 626, line 13, delete "grant allocations" and insert "grants"

Page 628, line 9, delete "5,119,000" and insert "5,519,000" and delete "3,711,000" and insert "4,111,000"

Page 628, line 11, before "Chronic" insert "(a)"

Page 628, after line 19, insert:

"(b) **Health Care Grants.** \$400,000 in fiscal year 2018 and \$400,000 in fiscal year 2019 are for the substance use disorder and provider capacity grant program. This is a onetime appropriation."

"(c) **Base Level Adjustment.** The general fund base is \$3,711,000 in fiscal year 2020 and \$3,711,000 in fiscal year 2021."

Page 629, delete lines 33 to 35

Page 630, delete lines 1 to 10 and insert:

"The funds must be used to provide:

(1) services to Minnesotans who are deafblind under Minnesota Statutes, section 256C.261;

(2) linguistically and culturally appropriate mental health services to children who are deaf, children who are deafblind, and children who are hard-of-hearing;

(3) an increase in the fiscal year 2017 base level grant amount to provide mentors who have hearing loss to parents of infants and children with newly identified hearing loss; and

(4) training each year in ProTactile American Sign Language or other communication systems used by people who are deafblind. Training shall be provided to persons who are deafblind and to interpreters, support service providers, and intervenors who work with persons who are deafblind.

The funds may be used to provide culturally affirmative psychiatric services."

Page 641, line 11, after "base" insert "is \$109,828,000" and after "2020" delete "is \$109,828,000"

Page 641, line 25, delete "86,186,000" and insert "84,384,000" and delete "86,339,000" and insert "84,258,000"

Page 649, line 9, delete "25,002,000" and insert "24,996,000" and delete "23,295,000" and insert "23,189,000"

Page 649, line 25, delete "5,193,000" and insert "5,207,000" and delete "5,329,000" and insert "5,243,000"

Page 652, line 5, delete "521,000" and insert "507,000" and delete "522,000" and insert "508,000"

Page 652, line 9, delete "204,000" and insert "198,000" and delete "204,000" and insert "198,000"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Benson imposed a call of the Senate for the balance of the proceedings on S.F. No. 2. The Sergeant at Arms was instructed to bring in the absent members.

Senator Dibble moved that the Benson amendment be laid on the table. The President ruled the Dibble motion out of order.

Senator Dibble appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 32 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Miller	Senjem
Anderson, B.	Fischbach	Jensen	Nelson	Utke
Anderson, P.	Gazelka	Johnson	Newman	Weber
Benson	Goggin	Kiffmeyer	Pratt	Westrom
Chamberlain	Hall	Lang	Relph	
Dahms	Housley	Limmer	Rosen	
Draheim	Ingebrigtsen	Mathews	Ruud	

Those who voted in the negative were:

Bakk	Dibble	Hawj	Latz	Simonson
Carlson	Dziedzic	Hayden	Little	Sparks
Champion	Eaton	Hoffman	Lourey	Tomassoni
Clausen	Eken	Isaacson	Marty	Torres Ray
Cohen	Franzen	Kent	Newton	Wiger
Cwodzinski	Frentz	Laine	Schoen	

So the decision of the President was sustained.

Senator Lourey moved that the Senate do now recess subject to the call of the President.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 31 and nays 31, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pratt	Wiklund
Clausen	Franzen	Laine	Schoen	
Cohen	Frentz	Latz	Simonson	
Cwodzinski	Hawj	Little	Sparks	
Dibble	Hayden	Lourey	Tomassoni	

Those who voted in the negative were:

Abeler	Draheim	Housley	Lang	Relph
Anderson, B.	Eichorn	Ingebrigtsen	Limmer	Rosen
Anderson, P.	Fischbach	Jasinski	Mathews	Ruud
Benson	Gazelka	Jensen	Miller	Senjem
Chamberlain	Goggin	Johnson	Nelson	Utke
Dahms	Hall	Kiffmeyer	Newman	Weber

Westrom

The motion did not prevail.

The question recurred on the adoption of the Benson amendment. The motion prevailed. So the amendment was adopted.

Senator Benson moved to amend S.F. No. 2 as follows:

Page 213, line 27, delete ", of which" and insert ". For payments made in accordance with this paragraph, if, and to the extent that, the commissioner identifies that the state has received federal financial participation for ventilators in excess of the amount allowed effective January 1, 2018, under United States Code, title 42, section 1396b(i)(27), the state shall repay the excess amount to the Centers for Medicare and Medicaid Services with state funds and maintain the full payment rate under this paragraph."

Page 213, delete line 28

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend S.F. No. 2 as follows:

Page 563, line 28, delete "An individual" and insert "A child care staff person"

Page 564, delete section 26, and insert:

"Sec. 26. Minnesota Statutes 2016, section 245C.15, subdivision 1, is amended to read:

Subdivision 1. **Permanent disqualification.** (a) An individual is disqualified under section 245C.14 if: (1) regardless of how much time has passed since the discharge of the sentence imposed, if any, for the offense; and (2) unless otherwise specified, regardless of the level of the offense, the individual has committed any of the following offenses: sections 243.166 (violation of predatory offender registration law); 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); a felony offense under 609.221 or 609.222 (assault in the first or second degree); a felony offense under sections 609.2242 and 609.2243 (domestic assault), spousal abuse, child abuse or neglect, or a crime against children; 609.2247 (domestic assault by strangulation); 609.228 (great bodily harm caused by distribution of drugs); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree); 609.322 (solicitation, inducement, and promotion of prostitution); 609.324, subdivision 1 (other prohibited acts); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.3451 (criminal sexual conduct in the fifth degree); 609.3453 (criminal sexual predatory conduct); 609.352 (solicitation of children to engage in sexual conduct); 609.365 (incest); a felony offense under 609.377 (malicious punishment of a child); a felony offense under 609.378 (neglect or endangerment of a child); 609.561 (arson in the first degree); 609.66, subdivision 1e (drive-by shooting); 609.749, subdivision 3, 4, or 5 (felony-level stalking); 609.855, subdivision 5 (shooting at or in a public transit vehicle or facility); 617.23, subdivision 2, clause (1), or subdivision 3, clause (1) (indecent exposure involving a minor); 617.246 (use of minors in

sexual performance prohibited); ~~or~~ 617.247 (possession of pictorial representations of minors); or, for a child care staff person, conviction of a crime that would make the individual ineligible for employment under United States Code, title 42, section 9858F, regardless of whether a period of disqualification under subdivisions 2 to 4, would apply if the individual were not a child care staff person.

(b) An individual's aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes, permanently disqualifies the individual under section 245C.14.

(c) An individual's offense in any other state or country, where the elements of the offense are substantially similar to any of the offenses listed in paragraph (a), permanently disqualifies the individual under section 245C.14.

(d) When a disqualification is based on a judicial determination other than a conviction, the disqualification period begins from the date of the court order. When a disqualification is based on an admission, the disqualification period begins from the date of an admission in court. When a disqualification is based on an Alford Plea, the disqualification period begins from the date the Alford Plea is entered in court. When a disqualification is based on a preponderance of evidence of a disqualifying act, the disqualification date begins from the date of the dismissal, the date of discharge of the sentence imposed for a conviction for a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

(e) If the individual studied commits one of the offenses listed in paragraph (a) that is specified as a felony-level only offense, but the sentence or level of offense is a gross misdemeanor or misdemeanor, the individual is disqualified, but the disqualification look-back period for the offense is the period applicable to gross misdemeanor or misdemeanor offenses.

(f) A child care staff person shall be disqualified as long as the individual is registered, or required to be registered, on a state sex offender registry or repository or the National Sex Offender Registry.

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

Page 571, line 19, after "individual" insert "is a child care staff person who"

Page 577, delete section 33

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

RECESS

Senator Benson moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

The Senate resumed consideration of S.F. No. 2.

Senator Benson moved to amend S.F. No. 2 as follows:

Page 218, delete section 63

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 35 and nays 27, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Housley	Limmer	Rosen
Anderson, B.	Fischbach	Ingebrigtsen	Mathews	Ruud
Anderson, P.	Frentz	Jasinski	Miller	Senjem
Benson	Gazelka	Jensen	Nelson	Tomassoni
Chamberlain	Goggin	Johnson	Newman	Utke
Dahms	Hall	Kiffmeyer	Pratt	Weber
Draheim	Hoffman	Lang	Relph	Westrom

Those who voted in the negative were:

Bakk	Dibble	Hayden	Lourey	Torres Ray
Carlson	Dziedzic	Isaacson	Marty	Wiger
Champion	Eaton	Kent	Newton	Wiklund
Clausen	Eken	Laine	Schoen	
Cohen	Franzen	Latz	Simonson	
Cwodzinski	Hawj	Little	Sparks	

So the bill, as amended, was passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that S.F. No. 4 be taken from the table. The motion prevailed.

S.F. No. 4: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending 2017 S.F. No. 1456, article 8, section 12, if enacted.

SUSPENSION OF RULES

Senator Gazelka moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 4 and that the rules of the Senate be so far suspended as to give S.F. No. 4 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 4 was read the second time.

Senator Limmer moved to amend S.F. No. 4 as follows:

Page 1, after line 5, insert:

"Section 1. 2017 S.F. No. 844, article 2, section 139, if enacted, is amended to read:

Sec. 139. Minnesota Statutes 2016, section 116D.04, subdivision 10, is amended to read:

Subd. 10. **Review.** A person aggrieved by a final decision on the need for an environmental assessment worksheet, the need for an environmental impact statement, or the adequacy of an environmental impact statement is entitled to judicial review of the decision under sections 14.63 to 14.68. A petition for a writ of certiorari by an aggrieved person for judicial review under sections 14.63 to 14.68 must be filed with the Court of Appeals and served on the responsible governmental unit not more than 30 days after the responsible governmental unit provides notice of the final decision in the EQB Monitor. Proceedings for review under this section must be instituted by serving a petition for a writ of certiorari personally or by certified mail upon the responsible governmental unit and by promptly filing the proof of service in the Office of the Clerk of the Appellate Courts and the matter will proceed in the manner provided by the Rules of Civil Appellate Procedure. A copy of the petition must be provided to the attorney general at the time of service. Copies of the writ must be served, personally or by certified mail, upon the responsible governmental unit and the project proposer. The filing of the writ of certiorari does not stay the enforcement of any other governmental action, provided that the responsible governmental unit may stay enforcement or the Court of Appeals may order a stay upon terms it deems proper. A bond may be required under section 562.02 unless at the time of hearing on the application for the bond the petitioner-relator has shown that the claim is likely to succeed on the merits. The board may initiate judicial review of decisions referred to herein and the board or a project proposer may intervene as of right in any proceeding brought under this subdivision.

Sec. 2. 2017 S.F. No. 1456, article 1, section 2, subdivision 2, if enacted, is amended to read:

Subd. 2. Business and Community Development	\$	46,074,000	\$	40,935,000
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Appropriations by Fund

General	\$43,363,000	\$38,424,000
Remediation	\$700,000	\$700,000

Workforce		
Development	\$1,861,000	\$1,811,000
Special Revenue	\$150,000	-0-

(a) \$4,195,000 each year is for the Minnesota job skills partnership program under Minnesota Statutes, sections 116L.01 to 116L.17. If the appropriation for either year is insufficient, the appropriation for the other year is available. This appropriation is available until spent.

(b) \$750,000 each year is for grants to the Neighborhood Development Center for small business programs:

- (1) training, lending, and business services;
- (2) model outreach and training in greater Minnesota; and
- (3) development of new business incubators.

This is a onetime appropriation.

(c) \$1,175,000 each year is for a grant to the Metropolitan Economic Development Association (MEDA) for statewide business development and assistance services, including services to entrepreneurs with businesses that have the potential to create job opportunities for unemployed and underemployed people, with an emphasis on minority-owned businesses. This is a onetime appropriation.

(d) \$125,000 each year is for a grant to the White Earth Nation for the White Earth Nation Integrated Business Development System to provide business assistance with workforce development, outreach, technical assistance, infrastructure and operational support, financing, and other business development activities. This is a onetime appropriation.

(e)(1) \$12,500,000 each year is for the Minnesota investment fund under Minnesota

Statutes, section 116J.8731. Of this amount, the commissioner of employment and economic development may use up to three percent for administration and monitoring of the program. This appropriation is available until spent.

(2) Of the amount appropriated in fiscal year 2018, \$4,000,000 is for a loan to construct and equip a wholesale electronic component distribution center investing a minimum of \$200,000,000 and constructing a facility at least 700,000 square feet in size. Loan funds may be used for purchases of materials, supplies, and equipment for the construction of the facility and are available from July 1, 2017, to June 30, 2021. The commissioner of employment and economic development shall forgive the loan after verification that the project has satisfied performance goals and contractual obligations as required under Minnesota Statutes, section 116J.8731.

(3) Of the amount appropriated in fiscal year 2018, \$700,000 is for a loan to extend an effluent pipe that will deliver reclaimed water to an innovative waste-to-biofuel project investing a minimum of \$150,000,000 and constructing a facility that is designed to process approximately 400,000 tons of waste annually. Loan funds are available until June 30, 2021.

(f) \$8,500,000 each year is for the Minnesota job creation fund under Minnesota Statutes, section 116J.8748. Of this amount, the commissioner of employment and economic development may use up to three percent for administrative expenses. This appropriation is available until expended. In fiscal year 2020 and beyond, the base amount is \$8,000,000.

(g) \$1,647,000 each year is for contaminated site cleanup and development grants under Minnesota Statutes, sections 116J.551 to 116J.558. This appropriation is available

until spent. In fiscal year 2020 and beyond, the base amount is \$1,772,000.

(h) \$12,000 each year is for a grant to the Upper Minnesota Film Office.

(i) \$163,000 each year is for the Minnesota Film and TV Board. The appropriation in each year is available only upon receipt by the board of \$1 in matching contributions of money or in-kind contributions from nonstate sources for every \$3 provided by this appropriation, except that each year up to \$50,000 is available on July 1 even if the required matching contribution has not been received by that date.

(j) \$500,000 each year is from the general fund for a grant to the Minnesota Film and TV Board for the film production jobs program under Minnesota Statutes, section 116U.26. This appropriation is available until June 30, 2021.

(k) \$139,000 each year is for a grant to the Rural Policy and Development Center under Minnesota Statutes, section 116J.421.

(l)(1) \$1,300,000 each year is for the greater Minnesota business development public infrastructure grant program under Minnesota Statutes, section 116J.431. This appropriation is available until spent. If the appropriation for either year is insufficient, the appropriation for the other year is available. In fiscal year 2020 and beyond, the base amount is \$1,787,000. Funds available under this paragraph may be used for site preparation of property owned and to be used by private entities.

(2) Of the amounts appropriated, \$1,600,000 in fiscal year 2018 is for a grant to the city of Thief River Falls to support utility extensions, roads, and other public improvements related to the construction of a wholesale electronic component distribution center at least 700,000 square

feet in size and investing a minimum of \$200,000,000. Notwithstanding Minnesota Statutes, section 116J.431, a local match is not required. Grant funds are available from July 1, 2017, to June 30, 2021.

(m) \$876,000 the first year and \$500,000 the second year are for the Minnesota emerging entrepreneur loan program under Minnesota Statutes, section 116M.18. Funds available under this paragraph are for transfer into the emerging entrepreneur program special revenue fund account created under Minnesota Statutes, chapter 116M, and are available until spent. Of this amount, up to four percent is for administration and monitoring of the program. In fiscal year 2020 and beyond, the base amount is \$1,000,000.

(n) \$875,000 each year is for a grant to Enterprise Minnesota, Inc. for the small business growth acceleration program under Minnesota Statutes, section 116O.115. This is a onetime appropriation.

(o) \$250,000 in fiscal year 2018 is for a grant to the Minnesota Design Center at the University of Minnesota for the greater Minnesota community design pilot project.

(p) \$275,000 in fiscal year 2018 is from the general fund to the commissioner of employment and economic development for a grant to Community and Economic Development Associates (CEDA) for an economic development study and analysis of the effects of current and projected economic growth in southeast Minnesota. CEDA shall report on the findings and recommendations of the study to the committees of the house of representatives and senate with jurisdiction over economic development and workforce issues by February 15, 2019. All results and information gathered from the study shall be made available for use by cities in southeast

Minnesota by March 15, 2019. This appropriation is available until June 30, 2020.

(q) \$2,000,000 in fiscal year 2018 is for a grant to Pillsbury United Communities for construction and renovation of a building in north Minneapolis for use as the "North Market" grocery store and wellness center, focused on offering healthy food, increasing health care access, and providing job creation and economic opportunities in one place for children and families living in the area. To the extent possible, Pillsbury United Communities shall employ individuals who reside within a five mile radius of the grocery store and wellness center. This appropriation is not available until at least an equal amount of money is committed from nonstate sources. This appropriation is available until the project is completed or abandoned, subject to Minnesota Statutes, section 16A.642.

(r) \$1,425,000 each year is for the business development competitive grant program. Of this amount, up to five percent is for administration and monitoring of the business development competitive grant program. All grant awards shall be for two consecutive years. Grants shall be awarded in the first year.

(s) \$875,000 each year is for the host community economic development grant program established in Minnesota Statutes, section 116J.548.

(t) \$700,000 each year is from the remediation fund for contaminated site cleanup and development grants under Minnesota Statutes, sections 116J.551 to 116J.558. This appropriation is available until spent.

(u) \$161,000 each year is from the workforce development fund for a grant to the Rural Policy and Development Center. This is a onetime appropriation.

(v) \$300,000 each year is from the workforce development fund for a grant to Enterprise Minnesota, Inc. This is a onetime appropriation.

(w) \$50,000 in fiscal year 2018 is from the workforce development fund for a grant to Fighting Chance for behavioral intervention programs for at-risk youth.

(x) \$1,350,000 each year is from the workforce development fund for job training grants under Minnesota Statutes, section 116L.42.

(y)(1) \$519,000 in fiscal year 2018 is for grants to local communities to increase the supply of quality child care providers in order to support economic development. At least 60 percent of grant funds must go to communities located outside of the seven-county metropolitan area, as defined under Minnesota Statutes, section 473.121, subdivision 2. Grant recipients must obtain a 50 percent nonstate match to grant funds in either cash or in-kind contributions. Grant funds available under this paragraph must be used to implement solutions to reduce the child care shortage in the state including but not limited to funding for child care business start-ups or expansions, training, facility modifications or improvements required for licensing, and assistance with licensing and other regulatory requirements. In awarding grants, the commissioner must give priority to communities that have documented a shortage of child care providers in the area.

(2) Within one year of receiving grant funds, grant recipients must report to the commissioner on the outcomes of the grant program including but not limited to the number of new providers, the number of additional child care provider jobs created, the number of additional child care slots, and the amount of local funds invested.

(3) By January 1 of each year, starting in 2019, the commissioner must report to the standing committees of the legislature having jurisdiction over child care and economic development on the outcomes of the program to date.

(z) \$319,000 in fiscal year 2018 is from the general fund for a grant to the East Phillips Improvement Coalition to create the East Phillips Neighborhood Institute (EPNI) to expand culturally tailored resources that address small business growth and create green jobs. The grant shall fund the collaborative work of Tamales y Bicicletas, Little Earth of the United Tribes, a nonprofit serving East Africans, and other coalition members towards developing EPNI as a community space to host activities including, but not limited to, creation and expansion of small businesses, culturally specific entrepreneurial activities, indoor urban farming, job training, education, and skills development for residents of this low-income, environmental justice designated neighborhood. Eligible uses for grant funds include, but are not limited to, planning and start-up costs, staff and consultant costs, building improvements, rent, supplies, utilities, vehicles, marketing, and program activities. The commissioner shall submit a report on grant activities and quantifiable outcomes to the committees of the house of representatives and the senate with jurisdiction over economic development by December 15, 2020. This appropriation is available until June 30, 2020.

(aa) \$150,000 the first year is from the renewable development account in the special revenue fund established in Minnesota Statutes, section 116C.779, subdivision 1, to conduct the biomass facility closure economic impact study.

(bb)(1)\$300,000 in fiscal year 2018 is for a grant to East Side Enterprise Center (ESEC) to expand culturally tailored resources that

address small business growth and job creation. This appropriation is available until June 30, 2020. The appropriation shall fund the work of African Economic Development Solutions, the Asian Economic Development Association, the Dayton's Bluff Community Council, and the Latino Economic Development Center in a collaborative approach to economic development that is effective with smaller, culturally diverse communities that seek to increase the productivity and success of new immigrant and minority populations living and working in the community. Programs shall provide minority business growth and capacity building that generate wealth and jobs creation for local residents and business owners on the East Side of St. Paul.

(2) In fiscal year 2019 ESEC shall use funds to share its integrated service model and evolving collaboration principles with civic and economic development leaders in greater Minnesota communities which have diverse populations similar to the East Side of St. Paul. ESEC shall submit a report of activities and program outcomes, including quantifiable measures of success annually to the house of representatives and senate committees with jurisdiction over economic development.

(cc) \$150,000 in fiscal year 2018 is for a grant to Mille Lacs County for the purpose of reimbursement grants to small resort businesses located in the city of Isle with less than \$350,000 in annual revenue, at least four rental units, which are open during both summer and winter months, and whose business was adversely impacted by a decline in walleye fishing on Lake Mille Lacs.

(dd)(1) \$250,000 in fiscal year 2018 is for a grant to the Small Business Development Center hosted at Minnesota State University, Mankato, for a collaborative initiative with the Regional Center for Entrepreneurial Facilitation. Funds available under this

section must be used to provide entrepreneur and small business development direct professional business assistance services in the following counties in Minnesota: Blue Earth, Brown, Faribault, Le Sueur, Martin, Nicollet, Sibley, Watonwan, and Waseca. For the purposes of this section, "direct professional business assistance services" must include, but is not limited to, pre-venture assistance for individuals considering starting a business. This appropriation is not available until the commissioner determines that an equal amount is committed from nonstate sources. Any balance in the first year does not cancel and is available for expenditure in the second year.

(2) Grant recipients shall report to the commissioner by February 1 of each year and include information on the number of customers served in each county; the number of businesses started, stabilized, or expanded; the number of jobs created and retained; and business success rates in each county. By April 1 of each year, the commissioner shall report the information submitted by grant recipients to the chairs of the standing committees of the house of representatives and the senate having jurisdiction over economic development issues.

(ee) \$500,000 in fiscal year 2018 is for the central Minnesota opportunity grant program established under Minnesota Statutes, section 116J.9922. This appropriation is available until June 30, 2022.

(ff) \$25,000 each year is for the administration of state aid for the Destination Medical Center under Minnesota Statutes, sections 469.40 to 469.47.

Sec. 3. 2017 S.F. No. 1456, article 1, section 2, subdivision 4, if enacted, is amended to read:

Subd. 4. General Support Services	\$	4,170,000	\$	4,654,000
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Appropriations by Fund		
General Fund	\$4,135,000	\$4,606,000
Workforce Development	\$35,000	\$48,000

(a) \$250,000 each year is for the publication, dissemination, and use of labor market information under Minnesota Statutes, section 116J.401.

(b) \$1,269,000 each year is for transfer to the Minnesota Housing Finance Agency for operating the Olmstead Compliance Office.

(c) \$500,000 each year is for a statewide capacity-building grant program. The commissioner of employment and economic development shall, through a request for proposal process, select a nonprofit organization to administer the capacity-building grant program. The selected organization must have demonstrated experience in providing financial and technical assistance to nonprofit organizations statewide. The selected organization shall provide financial assistance in the form of subgrants and technical assistance to small to medium-sized nonprofit organizations offering, or seeking to offer, workforce or economic development programming that addresses economic disparities in underserved cultural communities. This assistance can be provided in-house or in partnership with other organizations depending on need. The nonprofit organization selected to administer the grant program shall report to the commissioner by February 1 each year regarding assistance provided, including the demographic and geographic distribution of the grant awards, services, and outcomes. By April 1 each year, the commissioner shall report the information submitted by the nonprofit to the legislative committees having jurisdiction over economic development issues. Of this amount, one percent is for the commissioner to conduct

the request for proposal process and monitor the selected organization. The nonprofit selected to administer the grant program may use up to five percent of the grant funds for administration costs and providing technical assistance to potential subgrantees.

~~(d) \$25,000 each year is for the administration of state aid for the Destination Medical Center under Minnesota Statutes, sections 469.40 to 469.47.~~

Sec. 4. 2017 S.F. No. 1456, article 2, section 4, if enacted, is amended to read:

Sec. 4. [326B.108] PLACES OF PUBLIC ACCOMMODATION SUBJECT TO CODE.

Subdivision 1. **Definition.** For purposes of this section, "place of public accommodation" means a publicly or privately owned facility that is designed for occupancy by 200 or more people and ~~includes~~ is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park, or indoor swimming pool.

Subd. 2. **Application.** Construction, additions, and alterations to a place of public accommodation must be designed and constructed to comply with the State Building Code.

Subd. 3. **Enforcement.** In a municipality that has not adopted the code by ordinance under section 326B.121, subdivision 2, the commissioner shall enforce this section in accordance with section 326B.107, subdivision 1.

Subd. 4. **Fire protection systems.** If fire protection systems regulated by chapter 299M are required in a place of public accommodation, then those plan reviews and inspections shall be conducted by the state fire marshal."

Page 1, after line 17, insert:

"Sec. 6. 2017 S.F. No. 1456, article 11, section 4, if enacted, is amended to read:

Sec. 4. Minnesota Statutes 2016, section 462A.201, subdivision 2, is amended to read:

Subd. 2. **Low-income housing.** (a) The agency may use money from the housing trust fund account to provide loans or grants for:

(1) projects for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing units, including temporary and transitional housing;

(2) the costs of operating rental housing, as determined by the agency, that are unique to the operation of low-income rental housing or supportive housing;

(3) rental assistance, either project-based or tenant-based; and

(4) projects programs to secure stable housing for families with children eligible for enrollment in a prekindergarten through grade 12 academic program.

For purposes of this section, "transitional housing" has the meaning given by the United States Department of Housing and Urban Development. Loans or grants for residential housing for migrant farmworkers may be made under this section.

(b) The housing trust fund account must be used for the benefit of persons and families whose income, at the time of initial occupancy, does not exceed 60 percent of median income as determined by the United States Department of Housing and Urban Development for the metropolitan area. At least 75 percent of the funds in the housing trust fund account must be used for the benefit of persons and families whose income, at the time of initial occupancy, does not exceed 30 percent of the median family income for the metropolitan area as defined in section 473.121, subdivision 2. For purposes of this section, a household with a housing assistance voucher under Section 8 of the United States Housing Act of 1937, as amended, is deemed to meet the income requirements of this section.

The median family income may be adjusted for families of five or more.

(c) Rental assistance under this section must be provided by governmental units which administer housing assistance supplements or by for-profit or nonprofit organizations experienced in housing management. Rental assistance shall be limited to households whose income at the time of initial receipt of rental assistance does not exceed 60 percent of median income, as determined by the United States Department of Housing and Urban Development for the metropolitan area. Priority among comparable applications for tenant-based rental assistance will be given to proposals that will serve households whose income at the time of initial application for rental assistance does not exceed 30 percent of median income, as determined by the United States Department of Housing and Urban Development for the metropolitan area. Rental assistance must be terminated when it is determined that 30 percent of a household's monthly income for four consecutive months equals or exceeds the market rent for the unit in which the household resides plus utilities for which the tenant is responsible. Rental assistance may only be used for rental housing units that meet the housing maintenance code of the local unit of government in which the unit is located, if such a code has been adopted, or the housing quality standards adopted by the United States Department of Housing and Urban Development, if no local housing maintenance code has been adopted.

(d) In making the loans or grants, the agency shall determine the terms and conditions of repayment and the appropriate security, if any, should repayment be required. To promote the geographic distribution of grants and loans, the agency may designate a portion of the grant or loan awards to be set aside for projects located in specified congressional districts or other geographical regions specified by the agency. The agency may adopt rules for awarding grants and loans under this subdivision.

Sec. 7. Laws 2017, chapter 68, article 1, section 17, is amended to read:

Sec. 17. Minnesota Statutes 2016, section 326B.921, subdivision 2, is amended to read:

Subd. 2. **High pressure pipefitting contractor license.** Before obtaining a permit for high pressure piping work, a person must obtain or utilize a contractor with a high pressure piping contractor license.

A person must have at all times as a full-time employee at least one individual holding a master high pressure pipefitter competency license. Only full-time employees who hold master high pressure pipefitter licenses are authorized to obtain high pressure piping permits in the name of the contractor. The master high pressure pipefitter competency license holder can be the employee of only one high pressure piping contractor at a time. An application for a high pressure piping contractor license shall include a verified statement that the applicant or licensee has complied with this subdivision.

To retain its contractor license without reapplication, a person holding a high pressure piping contractor license that ceases to employ an individual holding a master high pressure pipefitter competency license shall have 60 days from the last day of employment of its previous master high pressure pipefitter competency license holder to employ another license holder. The department must be notified no later than five days after the last day of employment of the previous license holder.

No high pressure pipefitting work may be performed during any period when the high pressure pipefitting contractor does not have a master high pressure pipefitter competency license holder on staff. If a license holder is not employed within 60 days after the last day of employment of the previous license holder, the pipefitting contractor license shall lapse.

The board shall prescribe by rule procedures for application for and issuance of contractor licenses.

Sec. 8. Laws 2017, chapter 68, article 1, section 26, is amended to read:

Sec. 26. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall replace the term "journeyman" or "~~journeymans~~" "journeymen" with "journeyworker" or "journeyworkers" wherever it appears in Minnesota Statutes, chapter 326B. All journeyman licenses issued under Minnesota Statutes, chapter 326B, before the effective date of this act are deemed journeyworker licenses.

Sec. 9. Laws 2017, chapter 93, article 1, section 3, subdivision 3, is amended to read:

Subd. 3. Ecological and Water Resources	32,740,000	32,629,000
Appropriations by Fund		
	2018	2019
General	17,213,000	17,046,000
Natural Resources	10,576,000	10,576,000
Game and Fish	4,951,000	5,007,000

(a) \$3,242,000 the first year and \$3,242,000 the second year are from the invasive species account in the natural resources fund and \$3,206,000 the first year and \$3,206,000 the second year are from the general fund for management, public awareness, assessment and monitoring research, and water access inspection to prevent the spread of invasive

species; management of invasive plants in public waters; and management of terrestrial invasive species on state-administered lands.

(b) \$5,000,000 the first year and \$5,000,000 the second year are from the water management account in the natural resources fund for only the purposes specified in Minnesota Statutes, section 103G.27, subdivision 2.

(c) \$124,000 the first year and \$124,000 the second year are for a grant to the Mississippi Headwaters Board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under the board's jurisdiction.

(d) \$10,000 the first year and \$10,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement the band's portion of the comprehensive plan for the upper Mississippi.

(e) \$264,000 the first year and \$264,000 the second year are for grants for up to 50 percent of the cost of implementation of the Red River mediation agreement.

(f) \$2,078,000 the first year and \$2,134,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1).

(g) \$950,000 the first year and \$950,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management. Notwithstanding Minnesota Statutes, section 290.431, \$100,000 the first year and \$100,000 the second year may be used for nongame wildlife information, education, and promotion.

(h) Notwithstanding Minnesota Statutes, section 84.943, \$13,000 the first year and \$13,000 the second year from the critical habitat private sector matching account may be used to publicize the critical habitat license plate match program.

(i) \$6,000,000 the first year and \$6,000,000 the second year are from the general fund for the following activities:

(1) financial reimbursement and technical support to soil and water conservation districts or other local units of government for groundwater level monitoring;

(2) surface water monitoring and analysis, including installation of monitoring gauges;

(3) groundwater analysis to assist with water appropriation permitting decisions;

(4) permit application review incorporating surface water and groundwater technical analysis;

(5) precipitation data and analysis to improve the use of irrigation;

(6) information technology, including electronic permitting and integrated data systems; and

(7) compliance and monitoring.

(j) \$167,000 the first year is for a grant to the Koronis Lake Association for purposes of removing and preventing aquatic invasive species. This is a onetime appropriation and is available until June 30, 2022.

(k) Notwithstanding Minnesota Statutes, section 297A.94, \$410,000 the first year and \$410,000 the second year are from the heritage enhancement account in the game and fish fund for grants to the Minnesota Aquatic Invasive Species Research Center at the University of Minnesota to prioritize, support, and develop research-based

solutions that can reduce the effects of aquatic invasive species in Minnesota by preventing spread, controlling populations, and managing ecosystems and to advance knowledge to inspire action by others.

Sec. 10. Laws 2017, chapter 93, article 1, section 11, is amended to read:

Sec. 11. **REVENUE** \$ 2,000,000 \$ 2,000,000

\$2,000,000 each year is for riparian protection aid payments under Minnesota Statutes, section 477A.21. ~~Notwithstanding Minnesota Statutes, section 477A.21, subdivisions 3 and 4, the first year appropriation may be paid only to counties.~~ Unexpended funds from the first year are available the second year.

Sec. 11. 2017 First Special Session, H.F. No. 1, article 4, section 25, if enacted, is amended to read:

[477A.22] APPROPRIATION; RIPARIAN PROTECTION AID.

\$6,000,000 in fiscal year 2018 and \$8,000,000 in each fiscal year thereafter is appropriated from the general fund to the commissioner of revenue for riparian protection aid payments under Minnesota Statutes, section 477A.21. These amounts may be in addition to other appropriations for the same purpose. ~~Notwithstanding Minnesota Statutes, section 477A.21, subdivisions 3 and 4, the fiscal year 2018 appropriation may be paid only to counties.~~ Unexpended funds from fiscal year 2018 are available in fiscal year 2019.

EFFECTIVE DATE. This section is effective for aids payable in 2017 and thereafter.

Sec. 12. 2017 First Special Session, H.F. No. 2, article 4, section 12, subdivision 2, if enacted, is amended to read:

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

\$	1,341,161,000	2018
\$	1,426,827,000	2019

The 2018 appropriation includes \$156,403,000 for 2017 and ~~\$1,184,758~~ \$1,184,758,000 for 2018.

The 2019 appropriation includes ~~\$131,639,000~~ \$166,667,000 for 2018 and ~~\$1,295,188~~ \$1,260,160,000 for 2019."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 4 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Hoffman	Little	Senjem
Anderson, B.	Dziedzic	Housley	Lourey	Simonson
Anderson, P.	Eaton	Ingebrigtsen	Marty	Sparks
Bakk	Eichorn	Isaacson	Mathews	Tomassoni
Benson	Eken	Jasinski	Miller	Torres Ray
Carlson	Fischbach	Jensen	Nelson	Utke
Chamberlain	Franzen	Johnson	Newman	Weber
Champion	Frentz	Kent	Newton	Westrom
Clausen	Gazelka	Kiffmeyer	Pratt	Wiger
Cohen	Goggin	Laine	Relph	Wiklund
Cwodzinski	Hall	Lang	Rosen	
Dahms	Hawj	Latz	Ruud	
Dibble	Hayden	Limmer	Schoen	

So the bill, as amended, was passed and its title was agreed to.

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2 and 4.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 25, 2017

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 5.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 25, 2017

Madam President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is about to adjourn the 2017 Special Session sine die.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 25, 2017

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 5: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; modifying previous appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; appropriating money; amending Minnesota Statutes 2016, sections 15B.32, subdivision 4; 16A.967; 84.946, subdivision 2; 85.34, subdivision 1; 116J.8738, subdivisions 2, 3; 174.50, subdivisions 5, 6b, 6c, 7, by adding a subdivision; 326B.124; 446A.072; 446A.073; 446A.081, subdivision 9; 446A.12, subdivision 1; 462A.37, subdivisions 2a, 2b, 5, by adding a subdivision; Laws 2006, chapter 258, section 18, subdivision 6, as amended; Laws 2012, chapter 293, sections 7, subdivision 3; 17, subdivision 4; Laws 2014, chapter 294, article 1, sections 7, subdivisions 11, 15; 17, subdivisions 6, 12; 21, subdivision 12, as amended; Laws 2015, First Special Session chapter 5, article 1, section 10, subdivisions 3, 7; proposing coding for new law in Minnesota Statutes, chapters 16C; 219; repealing Minnesota Statutes 2016, section 123A.446.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Gazelka moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 5 and that the rules of the Senate be so far suspended as to give H.F. No. 5 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 5 was read the second time.

H.F. No. 5 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Hayden	Limmer	Ruud
Anderson, B.	Draheim	Hoffman	Little	Schoen
Anderson, P.	Dziedzic	Housley	Lourey	Senjem
Bakk	Eaton	Ingebrigtsen	Marty	Simonson
Benson	Eichorn	Isaacson	Mathews	Sparks
Carlson	Eken	Jasinski	Miller	Tomassoni
Chamberlain	Fischbach	Jensen	Nelson	Torres Ray
Champion	Franzen	Johnson	Newman	Utke
Clausen	Frentz	Kiffmeyer	Newton	Weber
Cohen	Gazelka	Laine	Pratt	Westrom
Cwodzinski	Goggin	Lang	Relph	Wiger
Dahms	Hall	Latz	Rosen	Wiklund

Those who voted in the negative were:

Hawj Kent

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Gazelka and Bakk introduced --

Senate Resolution No. 3: A Senate resolution relating to adjournment of the Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the Special Session.

Senator Gazelka moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

MEMBERS EXCUSED

Senators Koran, Osmek, Pappas and Rest were excused from the Session of today. Senators Bakk and Senjem were excused from the Session of today from 5:30 to 5:55 p.m. Senators Nelson and Schoen were excused from the Session of today from 5:40 to 5:55 p.m. Senator Klein was excused from the Session of today at 7:30 p.m. Senator Wiklund was excused from the Session of today from 11:15 to 11:30 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn the Special Session sine die. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

PROTEST AND DISSENT

May 25, 2017

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we hereby protest and dissent the process and the content of legislation adopted at the end of the 2017 legislative session and during the special session.

Most of the policy adopted or likely to be adopted by the 2017 legislature will be contained in less than a dozen omnibus bills. Most of the budget and policy decisions are being made by a handful of legislative leaders, with little time for other legislators to become aware of the provisions. Packing numerous, often unrelated policy provisions and appropriations riders into a single bill is a violation of the constitution and it is injurious to the public.

The practice violates the Minnesota Constitution, Article 4, Section 17: "No law shall embrace more than one subject, which shall be expressed in its title." Minnesota courts may have been reluctant to step in and enforce this constitutional provision, but that does not excuse violating the constitution that our oath requires us to uphold.

It reduces accountability and transparency. The public has no ability to know about proposed policies until after they are enacted, or to know the positions of their elected representatives on those provisions.

It allows harmful provisions to be slipped into bills that contain the funding necessary to operate state government, without a chance for legislators to vote for or against those provisions. This effectively holds some provisions hostage, with legislators being forced to accept policies we consider harmful in order to pass a budget.

There are far too many violations of the constitutional single subject requirement to list here, but we call out a few specific examples:

We protest and dissent against Senate File 3 of the Special Session, which addresses unfunded liabilities in public employee pension funds, but also contains an unrelated, highly controversial provision preempting cities from offering protections for workers.

We protest and dissent against Senate File 844, the Environment, Natural Resources and Tourism Appropriations bill, for a provision eliminating the right of most Minnesotans to request a hearing on certain environmental permitting decisions, a provision denying the public access to data from certain environmental reviews, a provision delaying the DNR's ability to prohibit the use of lead shot to protect wildlife, as well as numerous other policy provisions.

We protest and dissent against inclusion of policies related to teacher licensure and seniority rules in HF 2 of the Special Session, the E-12 Education Finance legislation.

We protest and dissent against restrictions on drivers license rulemaking provisions inserted into House File 470, the Judiciary and Public Safety Finance bill.

We protest and dissent against Senate File 1456, the Jobs and Economic Development Appropriations bill, including provisions undoing a 23-year-old agreement between the state of Minnesota, the Prairie Island Indian Community, and Xcel energy, a provision preempting cities from banning plastic shopping bags, a provision limiting cities' control over regulation of telecommunications use their public right-of-way, and a wide range of numerous other housing, workers compensation, and energy policies. Legislators who want to vote in favor of funding for economic development in low income minority communities have no choice but to accept these unrelated policies.

We protest and dissent against the inclusion of countless other policy provisions in these and other budget bills, some of which we may consider desirable, others to which we strongly object. Regardless of the merits of any particular provision, they do not belong in these omnibus bills and should be considered in separate legislation, with separate votes.

To add to the problems caused by these violations of the constitution's single subject requirement, the legislative process has seldom given time to digest the content of these large compilations of budget and policy, and this year's process has been one of the worst.

Many conference committee reports containing hundreds of pages were available to Senators and the public only a few hours before the bills were presented on the Senate floor.

Also, much of the conference committee action was done behind closed doors without any participation by minority conferees and other interested legislators. Much of the legislative action was taken in the middle of the night. All of this fails to meet even a minimal level of public transparency and accountability.

We have raised objections to these violations of the single subject requirement. We have offered amendments to remove policy provisions from budget bills. We have voted against legislation we wanted to support because of unacceptable policy additions. Now, we raise this protest and dissent.

We are not interested in casting blame; we are demanding change. The people of Minnesota deserve a better lawmaking process. The constitution demands it.

Respectfully submitted,

Senators (Signed): John Marty, Chris Eaton, Greg Clausen, Erik Simonson, Scott Dibble, Patricia Torres Ray, Carolyn Laine, Jim Carlson, and Jerry Newton.