

## SEVENTY-FOURTH DAY

St. Paul, Minnesota, Thursday, March 22, 2018

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

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Imam Luqman Gondal.

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

The President declared a quorum present.

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

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 3133:** A bill for an act relating to public safety; requiring the legislative auditor to appoint an information technology auditor to conduct an assessment of MNLARS; establishing a MNLARS steering committee; appropriating money.

There has been appointed as such committee on the part of the House:

Torkelson, Baker and Nelson.

Senate File No. 3133 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 21, 2018

### REPORTS OF COMMITTEES

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

#### **Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred**

**S.F. No. 3621:** A bill for an act relating to liquor; clarifying the citation of Minnesota Statutes, chapter 340A; amending Minnesota Statutes 2016, section 340A.901.

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

Delete everything after the enacting clause and insert:

"Section 1. CITY OF MINNEAPOLIS; SPECIAL LICENSE.

The city of Minneapolis may issue an on-sale intoxicating liquor license to a business located at 3753 Nicollet Avenue South, notwithstanding any law, 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. 2. CITY OF MINNEAPOLIS; SPECIAL LICENSE.

The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant located at 4959 Penn Avenue South, notwithstanding any law, 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. 3. CITY OF MINNEAPOLIS; SPECIAL LICENSE.

The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant located at 5400 Penn 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. 4. **OFF-SALE INTOXICATING LIQUOR LICENSE; HUBBARD COUNTY.**

Notwithstanding Minnesota Statutes, section 340A.405, subdivision 2, paragraph (e), the Hubbard County Board may issue an off-sale intoxicating liquor license to an exclusive liquor store located in Akeley Township. All other provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license authorized under this section.

**EFFECTIVE DATE.** This section is effective upon approval by the Hubbard County Board and compliance with Minnesota Statutes, section 645.021.

Sec. 5. **SPECIAL LICENSE; CITY OF NORTH MANKATO.**

The city of North Mankato 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 or operated by the Caswell Regional Sporting Complex, 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 the Caswell Regional Sporting Complex. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the licenses issued under this section. The city of North Mankato 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 North Mankato City Council and compliance with Minnesota Statutes, section 645.021."

Delete the title and insert:

"A bill for an act relating to liquor; authorizing various local on-sale intoxicating liquor licenses."

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

**Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred**

**S.F. No. 3596:** A bill for an act relating to biodiesel; allowing the minimum biodiesel content level for diesel fuel to be modified during certain times of the year; extending Number 1 diesel exemption; amending Minnesota Statutes 2016, section 239.77, subdivisions 2, 3a.

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

Page 2, line 3, delete "five" and insert "ten"

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

**Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred**

**S.F. No. 3491:** A bill for an act relating to commerce; regulating fraternal benefit societies; amending Minnesota Statutes 2016, sections 64B.19, subdivision 4a; 64B.43.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 60B.03, subdivision 15, is amended to read:

Subd. 15. **Insolvency or insolvent.** "Insolvency" or "insolvent" means:

(a) For an insurer organized under sections 67A.01 to 67A.26, the inability to pay any uncontested debt as it becomes due.

(b) For purposes of a liquidation under section 64B.435, subdivision 3, a fraternal authorized control level event under circumstances the commissioner determines will not be promptly remedied pursuant to the plan submitted under section 64B.435, subdivision 2, a society's inability to pay its debts or meet its obligations as they mature, or that a society's assets do not exceed its liabilities plus the greater of any surplus required by law to be constantly maintained.

~~(b)~~ (c) For any other insurer, that it is unable to pay its debts or meet its obligations as they mature or that its assets do not exceed its liabilities plus the greater of (1) any capital and surplus required by law to be constantly maintained, or (2) its authorized and issued capital stock. For purposes of this subdivision, "assets" includes one-half of the maximum total assessment liability of the policyholders of the insurer, and "liabilities" includes reserves required by law. For policies issued on the basis of unlimited assessment liability, the maximum total liability, for purposes of determining solvency only, shall be deemed to be that amount that could be obtained if there were 100 percent collection of an assessment at the rate of ten mills per dollar of insurance written by it and in force.

Sec. 2. Minnesota Statutes 2016, section 64B.19, subdivision 4a, is amended to read:

Subd. 4a. **Notice of extra assessments.** In the event that a society intends to make extra assessments, as provided in subdivision 4, it shall provide notice of the assessments it plans to make to the commissioner, and to the ~~commissioner~~ insurance regulator of its state of domicile if it is a foreign society, at least 90 days before the effective date of the assessments. Within 60 days of filing, the commissioner may disapprove the assessment of a domestic society if the assessment was not duly adopted, is not in the best interests of the benefit members, or does not materially improve the long-term viability of the society. The commissioner may approve an earlier effective date for the assessment.

Sec. 3. Minnesota Statutes 2016, section 64B.43, is amended to read:

**64B.43 FRATERNAL AUTHORIZED CONTROL LEVEL EVENT; FOREIGN SOCIETIES.**

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

(a) "Fraternal authorized control level event" means any of the following events:

(1) the filing of a risk-based capital report by the society that indicates that the society's total adjusted capital is less than its fraternal authorized control level risk-based capital;

(2) the notification by the commissioner to the society of an adjusted risk-based capital report that indicates the event in clause (1), provided the society does not challenge the adjusted risk-based capital report under section 64B.44;

(3) if, pursuant to section 64B.44, the society challenges an adjusted risk-based capital report that indicates the event in clause (1), notification by the commissioner to the society that the commissioner has, after a hearing, rejected the society's challenge;

(4) the failure of the society to respond, in a manner satisfactory to the commissioner, to a corrective order, provided the society has not challenged the corrective order under section 64B.44;

(5) if the society has challenged a corrective order under section 64B.44 and the commissioner has, after a hearing, rejected the challenge or modified the corrective order, the failure of the society to respond, in a manner satisfactory to the commissioner, to the corrective order subsequent to rejection or modification by the commissioner;

(6) the failure of the society to submit a risk-based capital plan to the commissioner within the time period in section 64B.42;

(7) notification by the commissioner to the society that:

(i) the risk-based capital plan or revised risk-based capital plan submitted by the society is, in the judgment of the commissioner, unsatisfactory; and

(ii) the society has not challenged the determination under section 64B.44;

(8) if, pursuant to section 64B.44, the society challenges a determination by the commissioner under the notification by the commissioner to the society that the commissioner has, after a hearing, rejected the challenge;

(9) notification by the commissioner to the society that the society has failed to adhere to its risk-based capital plan or revised risk-based capital plan, but only if the failure has a substantial adverse effect on the ability of the society to eliminate the fraternal action level event according to its risk-based capital plan or revised risk-based capital plan and the commissioner has so stated in the notification, provided the society has not challenged the determination under section 64B.44;  
or

(10) if, pursuant to section 64B.44, the society challenges a determination by the commissioner under clause (9), the notification by the commissioner to the society that the commissioner has, after a hearing, rejected the challenge.

(b) "Society" means a foreign fraternal benefit society not organized or operated under the laws of this state.

Subd. 2. **Commissioner's duties.** In the event of a fraternal authorized control level event with respect to a society, the commissioner shall:

(1) take the actions required under section 64B.42 regarding a society with respect to which a fraternal action level event has occurred; or

(2) if the commissioner considers it to be in the best interests of the certificate holders of the society, require the society to take one or more of the following actions:

(i) merge or otherwise consolidate with another willing authorized society;

(ii) cede any individual risk or risks, in whole or in part, to a willing society or life insurer;

(iii) suspend the issuance of new business; and

(iv) discontinue its insurance operations; or

(3) take the actions necessary to cause the society to be placed under regulatory control under chapter 60B. In the event the commissioner takes these actions, the fraternal authorized control level event is considered sufficient grounds for the commissioner to take action under chapter 60B, and the commissioner has the rights, powers, and duties with respect to the society set forth in chapter 60B. In the event the commissioner takes actions under this clause pursuant to an adjusted risk-based capital report, the society is entitled to the protections afforded to societies under section 60B.11 pertaining to summary proceedings.

Sec. 4. **[64B.435] FRATERNAL AUTHORIZED CONTROL LEVEL EVENT; DOMESTIC SOCIETIES.**

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

(b) "Fraternal authorized control level event" means any of the following events:

(1) the filing of a risk-based capital report by the society that indicates that the society's total adjusted capital is less than its fraternal authorized control level risk-based capital;

(2) the notification by the commissioner to the society of an adjusted risk-based capital report that indicates the event in clause (1), provided the society does not challenge the adjusted risk-based capital report under section 64B.44;

(3) if, pursuant to section 64B.44, the society challenges an adjusted risk-based capital report that indicates the event in clause (1), notification by the commissioner to the society that the commissioner has, after a hearing, rejected the society's challenge;

(4) the failure of the society to respond, in a manner satisfactory to the commissioner, to a corrective order, provided the society has not challenged the corrective order under section 64B.44;

(5) if the society has challenged a corrective order under section 64B.44 and the commissioner has, after a hearing, rejected the challenge or modified the corrective order, the failure of the society to respond, in a manner satisfactory to the commissioner, to the corrective order subsequent to rejection or modification by the commissioner;

(6) the failure of the society to submit a risk-based capital plan to the commissioner within the time period in section 64B.42;

(7) notification by the commissioner to the society that:

(i) the risk-based capital plan or revised risk-based capital plan submitted by the society is, in the judgment of the commissioner, unsatisfactory; and

(ii) the society has not challenged the determination under section 64B.44;

(8) if, pursuant to section 64B.44, the society challenges a determination by the commissioner under the notification by the commissioner to the society that the commissioner has, after a hearing, rejected the challenge;

(9) notification by the commissioner to the society that the society has failed to adhere to its risk-based capital plan or revised risk-based capital plan, but only if the failure has a substantial adverse effect on the ability of the society to eliminate the fraternal authorized control level event according to its risk-based capital plan or revised risk-based capital plan and the commissioner has so stated in the notification, provided the society has not challenged the determination under section 64B.44; or

(10) if, pursuant to section 64B.44, the society challenges a determination by the commissioner under clause (9), the notification by the commissioner to the society that the commissioner has, after a hearing, rejected the challenge.

(c) "Qualifying society" means a fraternal benefit society, whether foreign or domestic, that has the financial strength and administrative capability to accept a transfer of certificates under the provisions of subdivision 2 and is domiciled in a state accredited by the NAIC.

(d) "Society" means a domestic fraternal benefit society organized and operated under the laws of this state.

**Subd. 2. Plan to transfer members.** (a) Within 60 days of a fraternal authorized control level event with respect to a society, the society shall present to the commissioner a plan to protect the interests of its members. The plan shall include transferring all members, certificates, policies, and related assets and liabilities of the society, together with any other assets and liabilities the society desires to transfer, to another firm, corporation, or organization through merger, consolidation, assumption, or other means. Any transfer shall constitute a novation of the transferring society's certificates or policies effective upon the date of transfer. The commissioner shall review the plan within 30 days of its submission and may approve the plan within that time frame if the plan provides sound financial security for the payment of obligations arising under the certificates and policies of the society and is otherwise in the best interest of the members.

(b) The transfer shall be:

(1) concluded within the time frame established by the commissioner, which shall not exceed 90 days;

(2) approved by the society upon majority vote of its board of directors prior to the submission of the plan to the commissioner; and

(3) effective notwithstanding the provisions of section 64B.14 or any other requirement of statute or rule or the laws of the society requiring another form of notice to members or approval by the supreme governing body. Any notice to or approval of a transfer required by the laws of the society or statute or rule shall be suspended by this subdivision.

(c) In the event of a transfer under this subdivision to a firm, corporation, or organization that does not have a certificate of authority to transact insurance in this state, a limited certificate of authority may be issued upon application to the commissioner if the firm, corporation, or organization is authorized to transact insurance by and is domiciled in a state accredited by the National Association of Insurance Commissioners. Within 30 days of application, a limited certificate of authority may be issued if the commissioner determines that the applicant has sufficient financial strength and servicing capabilities to satisfy the obligations arising under the transferring society's certificates and policies. The limited certificate of authority shall authorize the firm, corporation, or organization to service the certificates and policies resulting from a transfer, including issuing any amendments or revisions requested by the holder of the policy and certificate and to fulfill all obligations arising under the policy or certificate, but not to otherwise transact insurance in this state.

(d) Upon the effective date of a transfer to a firm, corporation, or organization that is not a domestic or foreign society and in consideration for that transfer, each member of the society shall be deemed to agree that any terms of a certificate subjecting the certificate to the laws of the society or providing rights or obligations of membership, except to the extent of any outstanding lien not released by the terms of the transfer, shall be null and void and the assuming firm, corporation, or organization shall endorse the certificates accordingly.

(e) The board of directors of a society may suspend or modify its qualifications for membership as necessary or appropriate to facilitate a transfer under this subdivision, notwithstanding the laws of the society or any statute or rule to the contrary. Notwithstanding any statute or rule to the contrary, no notice to members or approval by the supreme governing body shall be required if a society has a fraternal authorized control level event and a transfer is approved by the commissioner pursuant to this subdivision. Each society shall amend their laws to permit the transactions contemplated by this subdivision, including suspending any provisions requiring any notice to members or approval of the supreme governing body with respect to the transfer of its certificates and policies, if the society has a fraternal authorized control level event and the transfer is approved by the commissioner

Subd. 3. **Liquidation.** (a) In the event of a fraternal authorized control level event under circumstances the commissioner determines will not be promptly remedied pursuant to the authorization provided in subdivision 2, or in the event that there are any grounds under section 60B.20 to commence a liquidation, the commissioner may issue an order declaring the society to be in hazardous financial condition and initiate proceedings pursuant to this subdivision. For purposes



of a proceeding commenced pursuant to this subdivision, rehabilitation under section 60B.15 shall be presumed to be futile and serve no useful purpose, unless the society can establish by clear and convincing evidence or the commissioner reasonably believes that rehabilitation has a high probability of returning the society to long-term viability.

(b) A liquidation proceeding under this subdivision shall be governed by chapter 60B, except to the extent the provisions of chapter 60B are in conflict or inconsistent with any provisions in this chapter. Notwithstanding the application of chapter 60B, the following sections shall not apply to the liquidation of a society: 60B.04, subdivision 2; 60B.39, subdivision 6; 60B.40; and 60B.46, subdivisions 3 and 4, clauses (3), (4), and (5), and subdivisions 5 and 6, unless the commissioner determines to proceed with rehabilitation under paragraph (a). Section 60B.18 shall apply to any proceeding under this subdivision and shall vest the authority of the rehabilitator in the liquidator, unless the commissioner determines to proceed with rehabilitation under paragraph (a).

(c) Notwithstanding section 60B.35, no assessment levied under section 64B.19 is permissible after a petition for liquidation is filed for the benefit of any creditor other than those creditors described in section 60B.44, subdivisions 2 and 4.

(d) Pursuant to section 60B.25, clause (8), the commissioner shall attempt to transfer by way of assignment, assumption, or other means the certificates of the liquidating society to another qualified society, whether domestic or foreign, or, if no qualified society will accept such a transfer, to a firm, corporation, or organization authorized to transact life insurance in this state. No society shall be obligated to accept such a transfer. Upon the effective date of a transfer to a firm, corporation, or organization that is not a fraternal benefit society and in consideration of that transfer, each member of the society shall be deemed to agree that any terms of a certificate subjecting the certificate to the laws of the society or rights or obligations of membership shall be null and void except to the extent of any outstanding lien that has not been terminated in the liquidation. The assuming firm, corporation, or organization shall endorse the certificate accordingly. Any transfer pursuant to this clause shall constitute a novation of the transferring society's certificates effective upon the date of transfer.

(e) Liquidation proceedings for a society shall be conducted consistent with the purposes of section 60B.01, subdivision 4, paragraph (c), in a manner designed to conserve assets and to limit expenses of the liquidation under section 60B.44, subdivision 2."

Amend the title numbers accordingly

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

**Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred**

**S.F. No. 3248:** A bill for an act relating to commerce; regulating wireless communications device dealer payments for used devices; amending Minnesota Statutes 2016, section 325E.319, subdivision 4.

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

Page 1, delete lines 14 to 20 and insert:

"(2) in addition to the requirements of subdivision 6, captures and stores in a manner consistent with subdivision 6 images of (i) the identification required by this section, and (ii) the wireless communications device;"

Page 1, line 21, delete "(5)" and insert "(3)" and delete "pursuant to this section"

Page 1, delete line 22

Page 2, before line 1, insert:

"(4) is located within the physical store of a retailer partner;

(5) otherwise complies with all requirements of this section; and"

Page 2, line 1, delete "(7)" and insert "(6)"

Page 2, after line 1, insert:

"(c) Local law enforcement may require an automated kiosk to close for repairs if for any reason the kiosk is unable to comply with the requirements of this section."

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

**Senator Gazelka, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 2636** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2636	2364				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**Senator Gazelka, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 3158** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3158	2581				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 3326:** A bill for an act relating to legislative enactments; making miscellaneous technical corrections to laws and statutes; correcting erroneous, obsolete, and omitted text and references; removing redundant, conflicting, and superseded provisions; amending Minnesota Statutes 2016, sections 5.36, subdivision 5; 6.80, subdivision 1; 13.46, subdivision 10; 13.4967, subdivision 2b; 13.6905, by adding subdivisions; 13.712, by adding a subdivision; 13.7191, by adding a subdivision; 13.851, by adding a subdivision; 13.871, subdivision 13; 28A.151, subdivision 5; 62N.40; 97A.475, subdivisions 3a, 4; 103E.011, subdivision 2; 116D.04, subdivision 5a; 116P.09, subdivision 4; 120B.232, subdivision 1a; 122A.14, subdivision 10; 122A.60, subdivision 2; 123A.36, subdivision 9; 123A.46, subdivisions 8, 10; 123A.48, subdivisions 2, 5; 124D.095, subdivision 8; 124D.52, subdivision 4; 125A.0942, subdivision 1; 125A.76, subdivision 1; 126C.10, subdivision 17; 128B.03, subdivision 3a; 144.651, subdivision 2; 144D.01, subdivision 4; 148.911; 152.01, subdivision 22; 152.021, subdivision 2a; 239.791, subdivision 12; 241.021, subdivision 4a; 244.05, subdivision 4; 245.462, subdivision 4; 245.735, subdivision 3; 245A.02, subdivisions 20, 21, 22; 245A.095, subdivision 2; 245A.10, subdivision 4; 245A.1443, subdivision 1; 245A.1444; 245F.02, subdivisions 3, 7; 245F.06, subdivision 2; 245F.15, subdivision 4; 252.021; 256B.0622, subdivision 7a; 256B.0625, subdivision 16; 256B.69, subdivision 5a; 256C.23, subdivision 1; 256I.03, subdivision 14; 256P.07, subdivision 7; 256R.04, subdivision 7; 268.069, subdivision 1; 268.085, subdivision 2; 268.101, subdivision 1; 268.186, subdivision 1; 290.068; 290.0921, subdivision 4; 290.92, subdivision 19; 290.923, subdivision 8; 290C.12; 290C.13, subdivision 7; 291.03, subdivision 8; 296A.24, subdivision 2; 297A.91, subdivision 2; 297E.16, subdivision 2; 297F.06, subdivision 1; 297F.21, subdivision 3; 297G.20, subdivision 4; 299A.706; 326B.988; 327.665, subdivision 2; 336.9-513; 398.19; 471.16, subdivision 1; 477A.013, subdivision 13; 508A.17, subdivision 1; 518A.39, subdivision 2; 609.11, subdivision 9; 609A.02, subdivision 3; Minnesota Statutes 2017 Supplement, sections 62I.02, subdivision 5; 84D.03, subdivision 3; 97C.355, subdivision 2; 120B.12, subdivision 2; 120B.234, subdivision 2; 122A.09, subdivisions 7, 9; 122A.14, subdivision 1; 122A.40, subdivision 8; 122A.41, subdivision 5; 124D.68, subdivision 2; 124D.99, subdivision 4; 124E.11; 136A.653, subdivision 1; 181A.04, subdivision 6; 245G.15, subdivision 1; 254A.03, subdivision 1; 254B.05, subdivisions 1a, 5; 256B.051, subdivision 2; 256B.0915, subdivision 1; 256B.0949, subdivision 13; 256B.25, subdivision 3; 256B.76, subdivision 1; 256B.761; 256C.261; 256D.44, subdivision 2; 256E.30, subdivision 2; 256I.04, subdivision 3; 256N.261, subdivision 1; 260B.050; 270.071, subdivision 7a; 270.074, subdivision 1; 272.02, subdivision 10; 273.372, subdivision 2; 290.01, subdivision 31; 290.067, subdivision 1; 290.081; 291.03, subdivision 11; 297A.71, subdivision 44; 341.25; 477A.011, subdivision 34; 477A.013, subdivision 1; Laws 2017, chapter 94, article 3, section 11; article 6, section 27; Laws 2017, First Special Session chapter 5, article 11, sections 8, subdivision 1; 10, subdivision 2; repealing Minnesota Statutes 2016, sections 124D.8957, subdivision 24; 256.9657, subdivision 1c; 256.9692; 290.067, subdivision 2a; 298.402; Laws 2009, chapter 37, article 3, section 4; Laws 2013, chapter 84, article 1, sections 25; 30; Laws 2014, chapter 199, sections 18; 19; 20; Laws 2014, chapter 222, article 2, sections 3; 8; 9; Laws 2014, chapter 286, article 8, section 19.

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 3306:** A bill for an act relating to campaign finance; adding new definitions; amending provisions relating to disclosure, independent expenditures, noncampaign disbursements, reporting requirements, coordinated and noncoordinated expenditures, and various other changes to campaign finance laws; amending Minnesota Statutes 2016, sections 10A.01, subdivisions 5, 26, by adding subdivisions; 10A.022, subdivision 3, by adding subdivisions; 10A.025, by adding a subdivision; 10A.07, subdivisions 1, 2; 10A.08, subdivision 1, by adding a subdivision; 10A.15, by adding subdivisions; 10A.17, subdivision 4; 10A.25, subdivision 3a; 10A.273, subdivision 3; 10A.322, subdivision 1; 211B.04; Minnesota Statutes 2017 Supplement, sections 10A.09, subdivisions 5, 6; 10A.155; 10A.20, subdivision 3; 10A.27, subdivision 16a; 10A.323; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Rules, parts 4501.0200, subparts 1, 2; 4501.0500, subpart 1a; 4503.0100, subpart 6; 4503.0500, subpart 2; 4503.1300, subpart 4; 4505.0010; 4505.0100, subparts 1, 4, 6; 4505.0700; 4515.0010; 4515.0100, subparts 1, 5; 4515.0500, subpart 1; 4520.0010; 4520.0100, subparts 1, 4, 6; 4520.0400; 4520.0500; 4525.0330; 4525.0340, subpart 1.

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

Page 24, line 32, after "contribution" insert "and to whom the contribution is made"

Page 25, line 1, after "notice" insert "in immediate proximity to the point of sale"

Page 25, line 2, delete "retailed" and insert "sold"

Page 25, line 4, delete "which" and insert "that"

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was re-referred**

**S.F. No. 1097:** A bill for an act relating to public safety; enhancing penalties and establishing minimum fines for repeat violations of driving without a valid license; amending Minnesota Statutes 2016, section 171.24.

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 3118:** A bill for an act relating to transportation; allowing counties to increase speed limits on county roads from 55 miles per hour to 60 miles per hour; amending Minnesota Statutes 2016, section 169.14, subdivision 5.

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

Page 1, after line 18, insert:

"(b) At the request of a county board, the commissioner may establish a speed limit in excess of 55 miles per hour on a county road or county state-aid highway upon the basis of an engineering and traffic investigation. The county must erect appropriate signs and the increased speed limit is effective when the signs are erected."

Page 1, line 19, delete "(b)" and insert "(c)" and delete "paragraph (a)" and insert "paragraphs (a) and (b)"

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 3090:** A bill for an act relating to motor vehicles; modifying the class of vehicles requiring a salvage certificate of title; amending Minnesota Statutes 2016, section 168A.151, subdivision 1.

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

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was re-referred**

**S.F. No. 2984:** A bill for an act relating to state government; setting compensation for lottery retailers in law; amending Minnesota Statutes 2016, section 349A.05; proposing coding for new law in Minnesota Statutes, chapter 349A; repealing Minnesota Statutes 2016, section 349A.16.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3168:** A bill for an act relating to state lands; providing for lease security; modifying requirements of public land sales; adding to and deleting from state parks and forests; amending Minnesota Statutes 2016, sections 92.50, by adding a subdivision; 94.10, subdivision 2; Minnesota Statutes 2017 Supplement, section 89.17; repealing Laws 2008, chapter 368, article 1, section 21, subdivision 2.

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

Page 2, after line 9, insert:

"Sec. 3. Minnesota Statutes 2016, section 92.502, is amended to read:

**92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.**

(a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may enter a 30-year lease of tax-forfeited land for a wind energy project.

(b) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for a wind energy project.

(c) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for recreational trails and facilities."

Page 3, after line 3, insert:

"Sec. 5. Laws 2015, chapter 25, section 7, is amended to read:

**Sec. 7. CONVEYANCE OF TAX-FORFEITED LAND; CITY OF PILLAGER, CASS COUNTY.**

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

(b) The conveyance will occur on application from the city of Pillager. The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be conveyed are described as:

Parcels 93-217-2402; 93-352-0010; 93-352-0105; 93-352-0110; 93-352-0115; 93-352-0120; 93-352-0205; 93-352-0210; 93-352-0225; 93-352-0230; 93-352-0235; 93-352-0305; 93-352-0310; 93-352-0320; 93-352-0340; 93-352-0345; 93-352-0440; 93-352-0445; 93-352-0450; 93-352-0455; 93-352-0460; 93-352-0505; 93-352-0510; 93-352-0515; 93-352-0520; 93-352-0525; 93-352-0610; 93-352-0740; and 93-352-0745.

Sec. 6. Laws 2017, chapter 93, article 2, section 155, subdivision 4, is amended to read:

Subd. 4. **Township road.** If the commissioner of natural resources finds that any portion of 233rd Avenue within the Sand Dunes State Forest is not owned by the township, the commissioner must convey an easement over and across state-owned lands administered by the commissioner to the township under Minnesota Statutes, section 84.63, for the width of 233rd Avenue. Notwithstanding the fee and market value payment requirements in Minnesota Statutes, section 84.63, the commissioner shall convey easements to the township at no cost, for existing roads currently maintained by the township across state-owned land administered by the commissioner, located in Township 34N, Range 27W, Sections 15, 17, 20, 29, and 35 of Sherburne County, if the township lacks easements for the roads. In addition, notwithstanding the fee and market value payment requirements in Minnesota Statutes, section 84.63, the commissioner shall convey an easement to the township at no cost for the existing road maintained by the township legally described as the North 33 feet of the Northeast Quarter of the Southeast Quarter, Section 36, Township 34N, Range

27W, Sherburne County, if the township lacks an easement for such road. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy."

Page 7, after line 30, insert:

**Sec. 10. PRIVATE SALE OF SURPLUS STATE LAND; CHISAGO COUNTY.**

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

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

(c) The land that may be sold is located in Chisago County and is described as: That part of the Southwest Quarter of the Southwest Quarter of Section 21, Township 35 North, Range 19 West, described as follows: Beginning at the southeast corner of said Southwest Quarter of the Southwest Quarter; thence West 19 rods; thence Northeasterly in a straight line 23 rods to the East line of said Southwest Quarter of the Southwest Quarter; thence South 17 rods to the place of beginning.

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

**Sec. 11. PRIVATE SALE OF SURPLUS STATE LAND; MAHNOMEN COUNTY.**

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

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

(c) The land that may be sold is located in Mahnomen County and is described as: the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4), Section 19, Township 143 North, Range 39 West, Mahnomen County, Minnesota. Subject to existing road easements, containing 40 acres, more or less.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were to be conveyed to a federally recognized Indian tribe for land consolidation purposes.

**Sec. 12. GRANT OF EASEMENT TO TOWNSHIP; OTTER TAIL COUNTY.**

(a) The commissioner of natural resources shall convey to the township under Minnesota Statutes, section 84.63, an easement over and across the state-owned lands administered by the commissioner described in paragraph (c). Notwithstanding the fee and market value payment requirements in Minnesota Statutes, section 84.63, the commissioner shall convey the easement to the township at no cost.

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

(c) The land over which the easement shall be granted is located in Otter Tail County and is described as:

A strip of land lying in Government Lot 1, Section 1, Township 136 North, Range 43 West, said strip of land being 66 feet in width, lying 33 feet on each side of the centerline described as follows:

Commencing at the Southeast corner of the Northeast Quarter of Section 1, Township 136 North, Range 43 West, of the Fifth Principal Meridian, Otter Tail County, Minnesota; thence on a bearing based on the 1983 Otter Tail County Coordinate System (1996 Adjustment), of North 00 degrees 43 minutes 06 seconds West, a distance of 1319.32 feet to the Southeast corner of Government Lot 1 of said Section 1 and the point of beginning of the centerline to be described; thence North 00 degrees 42 minutes 22 seconds West, a distance of 43.08 feet; thence northerly and northwesterly a distance of 801.02 feet along a tangential curve concave to the Southwest, said curve having a radius of 734.24 feet and a central angle of 62 degrees 30 minutes 25 seconds; thence North 63 degrees 12 minutes 47 seconds West, tangent to last described curve, a distance of 610.21 feet; thence northwesterly and northerly a distance of 441.31 feet along a tangential curve concave to the Northeast, said curve having a radius of 400.00 feet and a central angle of 63 degrees 12 minutes 47 seconds; thence North 00 degrees 00 minutes 00 seconds East, tangent to last described curve, a distance of 110.93 feet, more or less, to the intersection with the north line of the Northeast Quarter of said Section 1, distant 1428.38 feet, more or less, easterly of the North Quarter corner of said Section 1 and said centerline there terminating.

(d) The easement is needed by the township because an existing township road must be vacated in order for the Department of Natural Resources to construct a new public water access on Lake Lizzie.

**Sec. 13. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; RICE COUNTY.**

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

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

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

That Part of Government Lot 4 of Section Thirty-six (36), Township One Hundred Ten (110) North, Range Twenty-two (22) West, lying southerly of the following described line:

Commencing at the southeast corner of said Government Lot 4; thence on an assumed bearing of North 03 degrees 11 minutes 56 seconds East along the east line of said Government Lot 4 a distance of 66.09 feet to the southeast corner of WHITNEY SHORES, according to the plat on file and of record in the Rice County Recorder's Office, and the point of beginning of the line to be described; thence North 89 degrees 50 minutes 56 seconds West along the south line of said plat 541.16 feet;



thence continuing North 89 degrees 50 minutes 56 seconds West 535.96 feet; thence North 66 degrees 49 minutes 48 seconds West 255 feet, more or less, to the water's edge of Cedar Lake and there terminating.

Subject to the following:

(1) Ingress and egress to the property shall be limited to Geneva Avenue only.

(2) The public road as shown on the plat of Whitney Shores shall not be extended to cross the property.

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

Sec. 14. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

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

(b) The commissioner may sell the land at no cost. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

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

That part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 62, Range 15, St. Louis County, Minnesota, that lies southwesterly of McKinley Park Road.

And

That part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 62, Range 15, St. Louis County, Minnesota, that lies northwesterly of Miettunen Plat Road.

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

Sec. 15. **PRIVATE SALE OF TOWNSHIP LANDS TO THE STATE; ST. LOUIS COUNTY.**

(a) Notwithstanding any law to the contrary, Breitung Township in St. Louis County may transfer to the State of Minnesota at no cost lands in St. Louis County described as follows:

That part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 62, Range 15, St. Louis County, Minnesota, that lies southeasterly of Miettunen Plat Road and northeasterly of McKinley Park Road.

And

That part of the Northwest Quarter of the Southwest Quarter of Section 28, Township 62, Range 15, St. Louis County, Minnesota, that lies easterly of McKinley Park Road.

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

Sec. 16. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

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

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

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

(1) that part of the following described parcel lying westerly of the centerline of 1st Avenue North, Kelly Lake, said parcel in the Northwest Quarter of the Southwest Quarter, assuming the west line of said Northwest Quarter of the Southwest Quarter to be North and South. Beginning at a point on said west line 720 feet North of the southwest corner of said Northwest Quarter of the Southwest Quarter; thence due East 250 feet, more or less, to the west shore of Snowshoe Lake; thence northerly along the shore of said lake to a due East and West line through a point on the west line of said Northwest Quarter of the Southwest Quarter 100 feet northerly from the point of beginning; thence due West to the west line of said Northwest Quarter of the Southwest Quarter; thence due South along said west line to the point of beginning, Section 15, Township 57, Range 21 (parcel identification 141-0050-02201);

(2) the South 50 feet of the North 660 feet of the unplatted part of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter West of the highway, except the West 33 feet for a road, Section 21, Township 57, Range 21 (parcel identification 141-0050-03460);

(3) part of the South Half of the Northeast Quarter of the Northeast Quarter, the South 52 28/100 feet of the North 276 29/100 feet of that certain triangular strip of land lying between the public highways directly East of Kelly Lake, First Addition, Section 21, Township 57, Range 21 (parcel identification 141-0050-03570);

(4) part of Lot 5, Section 11, Township 64, Range 18 (part of parcel identification 250-0030-01720);

(5) part of Lot 3, Section 23, Township 58, Range 16 (part of parcel identification 260-0014-00230);

(6) part of the Southwest Quarter of the Southwest Quarter, Section 27, Township 53, Range 14 (part of parcel identification 375-0020-04240);

(7) part of the Northeast Quarter of the Southwest Quarter, Section 24, Township 52, Range 16 (part of parcel identification 380-0020-03900);

(8) the West Half of the Northeast Quarter of Lot 2, Section 1, Township 60, Range 20 (parcel identification 734-0010-00025); and

(9) part of the South Half of the Southeast Quarter, Section 21, Township 62, Range 16 (part of parcel identification 387-0010-02290).

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

Renumber the sections in sequence

Amend the title accordingly

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 2857:** A bill for an act relating to environment; modifying requirements for recycling electronic devices; modifying terms of certain loan program; requiring rulemaking for disposal facility certificates; amending Minnesota Statutes 2016, sections 115A.1310, subdivision 12b; 115A.1314; 115A.1316; 115A.1318, subdivisions 1, 2; 116.993, subdivisions 2, 6.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 116.993, subdivision 2, is amended to read:

Subd. 2. **Eligible borrower.** To be eligible for a loan under this section, a borrower must:

(1) be a small business corporation, sole proprietorship, partnership, or association;

(2) be a potential emitter of pollutants to the air, ground, or water;

(3) need capital for equipment purchases that will meet or exceed environmental regulations or need capital for site investigation and cleanup;

(4) have ~~less~~ fewer than ~~50~~ 100 full-time equivalent employees; and

(5) have an ~~after tax~~ after-tax profit of less than \$500,000; ~~and~~ .

~~(6) have a net worth of less than \$1,000,000.~~

Sec. 2. Minnesota Statutes 2016, section 116.993, subdivision 6, is amended to read:

Subd. 6. **Loan conditions.** A loan made under this section must include:

- (1) an interest rate that is ~~four percent or~~ at or below one-half the prime rate, ~~whichever is greater~~ not to exceed five percent;
- (2) a term of payment of not more than seven years; and
- (3) an amount not less than \$1,000 or exceeding ~~\$50,000~~ \$75,000.

Sec. 3. **RULEMAKING; DISPOSAL FACILITY CERTIFICATES.**

(a) The commissioner of the Pollution Control Agency must amend Minnesota Rules, part 7048.1000, subpart 4, item D, to require six contact hours of required training to renew a type IV disposal facility certificate.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388."

Amend the title accordingly

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3182:** A bill for an act relating to agriculture; clarifying application of fugitive emission standards to certain commodity facilities; amending Minnesota Statutes 2016, section 116.07, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 116.07, is amended by adding a subdivision to read:

Subd. 7f. **Temporary grain storage facility; fugitive emissions standards.** (a) Monitoring requirements and discharge levels for fugitive emissions under agency rules do not apply to operations of a dry bulk agricultural commodity facility that use portable equipment to handle grain stored in a temporary storage facility.

(b) For the purposes of this subdivision, "temporary storage facility" means a facility designed for the temporary storage of grain that:

- (1) uses an asphalt, concrete, or comparable base material;
- (2) has rigid, self-supporting sidewalls;

(3) provides adequate aeration;

(4) provides an acceptable covering; and

(5) provides for the storage of dry bulk agricultural commodities for up to one year."

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3404:** A bill for an act relating to legacy; modifying requirements for restoration evaluations from parks and trails fund; amending Minnesota Statutes 2016, section 85.53, subdivision 5.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3169:** A bill for an act relating to game and fish; modifying commissioner's duties; modifying provisions for elk licenses; amending Minnesota Statutes 2016, sections 97A.051, subdivision 2; 97A.433, subdivisions 4, 5.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3170:** A bill for an act relating to game and fish; modifying bait and equipment requirements for infested waters; amending Minnesota Statutes 2016, section 97C.345, subdivision 3a; Minnesota Statutes 2017 Supplement, section 84D.03, subdivisions 3, 4.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3199:** A bill for an act relating to environment; establishing certified salt applicator program; limiting liability; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Delete everything after the enacting clause and insert:

"Section 1. [116.2025] SALT APPLICATORS; VOLUNTARY CERTIFICATION PROGRAM.

Subdivision 1. **Definitions.** For the purpose of this section, the following terms have the meanings given:

(1) "commercial applicator" means an individual who applies or supervises others who apply deicer for hire, but does not include a municipal, state, or other government employee; and

(2) "deicer" means any substance used to melt snow and ice, or used for its anti-icing effects, on surfaces traveled by pedestrians and vehicles.

Subd. 2. **Voluntary certification program; best management practices.** (a) The commissioner of the Pollution Control Agency must support a training program that promotes best management practices for deicer application and allows commercial applicators to obtain certification as a water-friendly applicator. The commissioner must certify a commercial applicator who has successfully completed the program as a water-friendly applicator for a period to be determined by the commissioner.

(b) The commissioner must allow additional training under this section for those renewing the certification after their initial training has expired.

(c) The commissioner must provide the training and testing module at locations statewide and online.

(d) The commissioner must post the best management practices and a list of certified commercial applicators on the agency's Web site.

Subd. 3. **Liability.** (a) A commercial applicator certified under this section; the owner, occupant, or lessee of real property maintained by a certified commercial applicator; or an employee of that owner, occupant, or lessee who is certified under this section, is not civilly liable for any claim based on a snow or ice condition arising out of the implementation of the best management practices developed by the commissioner under this section even if there is actual notice of the snow or ice condition, except when the snow or ice condition is affirmatively caused by the willful or reckless acts of the certified commercial applicator, or the employee of the owner, occupant, or lessee who is certified under this section. Commercial applicators certified under this section; the owner, occupants, or lessees of real property maintained by a certified commercial applicator; and an employee of that owner, occupant, or lessee who is certified under this section are presumed to be acting pursuant to the best management practices developed by the commissioner under this section.

(b) To receive the immunity protection provided in paragraph (a), and not for any other purpose, the commercial applicator or the employee of the owner, occupant, or lessee, must have a current certification, pass an exam, complete the winter maintenance assessment tool requirements of the training program, and keep a written record describing the road, parking lot, and property maintenance practices used. The written record must include the type and rate of application of deicing materials used, the dates of treatment, and the weather conditions for each event requiring deicing. The records must be kept for a minimum of six years.

(c) The liability of a commercial applicator who applies deicer but is not certified under this section may not be determined under the standards provided in this subdivision.

Subd. 4. **Penalty.** The commissioner may revoke or decline to renew the certification of a commercial applicator who violates this section.

Subd. 5. **Relation to other law.** Nothing in this section shall be construed to affect municipal liability under section 466.03."

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was re-referred**

**S.F. No. 2921:** A bill for an act relating to local government; modifying matching funds requirement for local recycling programs; amending Minnesota Statutes 2016, section 473.8441, subdivision 4.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3167:** A bill for an act relating to natural resources; modifying provisions for legal representation of department; providing for training and licensing of wildland firefighters; modifying provisions for approved firewood; amending Minnesota Statutes 2016, sections 88.10, by adding a subdivision; 88.75, subdivision 1; 89.551; Minnesota Statutes 2017 Supplement, section 84.01, subdivision 6.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 3214:** A bill for an act relating to environment; ensuring that Mississippi Headwaters Board has certification jurisdiction over headwaters area; amending Minnesota Statutes 2016, sections 103F.361, subdivision 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371; 103F.373, subdivisions 1, 3, 4.

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was re-referred**

**S.F. No. 3411:** A bill for an act relating to local government; discontinuing Ramsey Soil and Water Conservation District; transferring duties; proposing coding for new law in Minnesota Statutes, chapter 383A.

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 3245:** A bill for an act relating to energy; modifying the energy improvements program; providing consumer protections for residential property assessed clean energy (PACE) loans; providing remedies; amending Minnesota Statutes 2016, sections 45.011, subdivision 1; 46.04, subdivision 1; 46.131, subdivisions 1, 2, 4; 216C.435, subdivisions 1, 2, 3a, 6, 8, by adding subdivisions; 216C.436, subdivisions 1, 2, 5, 7, 8, 9, by adding a subdivision; 290B.03, subdivision 1; Minnesota Statutes 2017 Supplement, section 46.131, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 2016, section 216C.435, subdivision 5.

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

Page 5, after line 7, insert:

"Sec. 10. Minnesota Statutes 2016, section 216C.435, is amended by adding a subdivision to read:

Subd. 3b. **Commercial PACE loan contractor.** "Commercial PACE loan contractor" means a person or entity that installs cost-effective energy improvements financed under a commercial PACE loan program."

Page 5, line 10, delete "3b" and insert "3c"

Page 5, line 14, delete "3c" and insert "3d"

Page 8, lines 18 and 19, delete the new language

Page 9, line 8, after the second "by" insert "a"

Page 9, line 9, strike "contractors" and insert "contractor"

Page 12, line 11, delete "or deed of trust"

Page 12, line 16, delete "deed of trust" and insert "mortgage"

Page 27, line 7, delete everything after "delinquency" and insert "for assessments not paid shall be subordinate to all other assessments on the property existing at the time. Payments made by the homeowner for unpaid special charges collected as a special assessment shall first be credited to any outstanding charge under section 429.021, subdivision 1, clauses (1) to (20), before applying any payment to unpaid special charges collected as a special assessment imposed under this section; and"

Page 29, after line 21, insert:

"Sec. 33. Minnesota Statutes 2016, section 429.011, subdivision 2a, is amended to read:

Subd. 2a. **Municipality; certain counties.** "Municipality" also includes the following:



(1) a county in the case of construction, reconstruction, or improvement of a county state-aid highway;

(2) a county in the case of construction, reconstruction, or improvement of a county highway as defined in section 160.02 including curbs and gutters and storm sewers;

(3) a county exercising its powers and duties under section 444.075, subdivision 1;

(4) a county for expenses not paid for under section 403.113, subdivision 3, paragraph (b), clause (3);

(5) a county in the case of the abatement of nuisances; and

(6) a county operating an energy improvements financing program under section 216C.436 or section 216C.437.

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

Sec. 34. Minnesota Statutes 2016, section 429.021, subdivision 1, is amended to read:

Subdivision 1. **Improvements authorized.** The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water, or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend, and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend, and maintain steam heating mains.

(4) To install, replace, extend, and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend, and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds, and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care, and removal.

(8) To abate nuisances and to drain swamps, marshes, and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend, and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote a pedestrian skyway system. Such improvement may be made upon a petition pursuant to section 429.031, subdivision 3.

(12) To acquire, construct, reconstruct, extend, operate, maintain, and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain, and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

(15) To construct, reconstruct, alter, extend, operate, maintain, and promote fire protection systems in existing buildings, but only upon a petition pursuant to section 429.031, subdivision 3.

(16) To acquire, construct, reconstruct, improve, alter, extend, and maintain highway sound barriers.

(17) To improve, construct, reconstruct, extend, and maintain gas and electric distribution facilities owned by a municipal gas or electric utility.

(18) To purchase, install, and maintain signs, posts, and other markers for addressing related to the operation of enhanced 911 telephone service.

(19) To improve, construct, extend, and maintain facilities for Internet access and other communications purposes, if the council finds that:

(i) the facilities are necessary to make available Internet access or other communications services that are not and will not be available through other providers or the private market in the reasonably foreseeable future; and

(ii) the service to be provided by the facilities will not compete with service provided by private entities.

(20) To assess affected property owners for all or a portion of the costs agreed to with an electric utility, telecommunications carrier, or cable system operator to bury or alter a new or existing distribution system within the public right-of-way that exceeds the utility's design and construction standards, or those set by law, tariff, or franchise, but only upon petition under section 429.031, subdivision 3.

(21) To assess affected property owners for repayment of voluntary energy improvement financings under section 216C.436, subdivision 7, or section 216C.437, subdivision 28.

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

Sec. 35. Minnesota Statutes 2016, section 429.101, subdivision 1, is amended to read:

Subdivision 1. **Ordinances.** (a) In addition to any other method authorized by law or charter, the governing body of any municipality may provide for the collection of unpaid special charges as a special assessment against the property benefited for all or any part of the cost of:

- (1) snow, ice, or rubbish removal from sidewalks;
- (2) weed elimination from streets or private property;
- (3) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of sections 463.15 to 463.26;
- (4) installation or repair of water service lines, street sprinkling or other dust treatment of streets;
- (5) the trimming and care of trees and the removal of unsound trees from any street;
- (6) the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys;
- (7) the operation of a street lighting system;
- (8) the operation and maintenance of a fire protection or a pedestrian skyway system;
- (9) inspections relating to a municipal housing maintenance code violation;
- (10) the recovery of any disbursements under section 504B.445, subdivision 4, clause (5), including disbursements for payment of utility bills and other services, even if provided by a third party, necessary to remedy violations as described in section 504B.445, subdivision 4, clause (2); or
- (11) [Repealed, 2004 c 275 s 5]
- (12) the recovery of delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings.

(b) The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work personally (except in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal, or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from the property owner or other person served of the charges when due before unpaid charges are made a special assessment.

(c) A home rule charter city, statutory city, county, or town operating an energy improvements financing program under section 216C.436 or section 216C.437 has the authority granted to a municipality under paragraph (a) with respect to energy improvements financed under that section.

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

Renumber the sections in sequence

Amend the title numbers accordingly

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 2611:** A bill for an act relating to higher education; replacing the Regent Candidate Advisory Council with a Legislative Commission on Regent Selection; modifying procedures related to the regent nomination joint committee; amending Minnesota Statutes 2016, sections 137.0245; 137.0246.

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 235:** A bill for an act relating to public safety; regulating the manufacture, sale, and use of fireworks; dedicating a portion of revenues from the sale of certain fireworks for public safety purposes; providing for a new account in the state treasury; amending Minnesota Statutes 2016, sections 297A.94; 624.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 88.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 624.20, subdivision 1, is amended to read:

Subdivision 1. **Regulation.** (a) ~~As used in sections 624.20 to 624.25, the term "fireworks" means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, Roman candles, daygo bombs, sparklers other than those specified in paragraph (c), or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other device containing any explosive substance and commonly used as fireworks.;~~

~~(b) The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing 25/100 grains or less of explosive compound are used and toy pistol caps which contain less than 20/100 grains of explosive mixture.~~

~~(c) The term also does not include wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less~~

~~of chemical mixture per tube or a total of 500 grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture. The use of items listed in this paragraph is not permitted on public property. This paragraph does not authorize the purchase of items listed in it by persons younger than 18 years of age. The age of a purchaser of items listed in this paragraph must be verified by photographic identification.~~

(1) "APA 87-1" means the American Pyrotechnic Association Standard 87-1 from the Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics, 2001 Edition;

(2) "consumer fireworks" means small fireworks devices that are designed to produce visible effects, audible effects, or both by combustion that are required to comply with the construction, chemical composition, and labeling regulations adopted by the United States Consumer Product Safety Commission under Code of Federal Regulations, title 16, parts 1500 and 1507 (2014), and that are listed in APA 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include sparkling devices, novelties, toy caps, or model rockets;

(3) "display fireworks" means firework devices in a finished state, exclusive of mere ornamentation, primarily intended for commercial displays that are designed to produce visible effects, audible effects, or both, by combustion, deflagration, or detonation. The term includes, but is not limited to, salutes containing more than 130 milligrams of explosive composition, aerial shells containing more than 40 grams of chemical composition exclusive of light charge, and other exhibition display items that exceed the limits contained in APA 87-1 for aerial and audible devices;

(4) "fireworks" means any device, other than sparkling devices, novelties, consumer fireworks, or theatrical pyrotechnic articles that are intended to produce visible effects, audible effects, or both, by combustion, deflagration, or detonation. The term includes display fireworks;

(5) "novelties" means devices containing small amounts of pyrotechnic composition that are listed in APA 87-1, sections 3.2, 3.3, and 3.4. The term includes deregulated sparklers, snakes and glow worms, smoke devices, and trick noisemakers, including paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than 25/100 grains of explosive mixture; toy pistols and toy guns, in which paper caps containing 25/100 grains or less of explosive compound are used; and toy pistol caps that contain less than 20/100 grains of explosive mixture; and

(6) "sparkling devices" means nonaerial ground-based or handheld devices that produce a shower of sparks that are listed in APA 87-1, sections 3.1.1 and 3.5. The term includes fountains, torches, wheels, ground spinners, flitter sparklers, toy smoke devices, and sparklers.

(b) Nothing in sections 624.20 to 624.25 authorizes the possession or use of sparkling devices or consumer fireworks on public property or the purchase of these items by persons younger than 18 years of age. A person selling sparkling devices or consumer fireworks shall verify the age of a purchaser by photographic identification.

~~(d)~~ (c) A local unit of government may impose an annual ~~license sales permit~~ fee for the retail sale of ~~items authorized under paragraph (e)~~ consumer fireworks. The annual ~~license permit~~ fee of each retail seller that is in the business of selling ~~only the items authorized under paragraph (e)~~ consumer fireworks may not exceed \$350 for a single retail location, and the annual ~~license permit~~ of each other retail seller may not exceed \$100. A local unit of government may assess a fee, not to exceed \$100, to a permittee for each additional retail location that the permittee operates. A permit application must require, at a minimum, the location of each retail location the permittee intends to operate. A permittee must display the permit issued pursuant to this paragraph at each point of sale operated by the permittee. A local unit of government may not:

(1) impose any fee or charge, other than the fee authorized by this paragraph, on the wholesale or retail sale of ~~items authorized under paragraph (e)~~ consumer fireworks;

(2) impose any permit, license, fee, or charge on the retail or wholesale sale of sparkling devices or novelties;

~~(2)~~ (3) prohibit or restrict the sale or display of items for sparkling devices, novelties, or consumer fireworks from any permanent or temporary retail sale authorized under paragraph (e) structure that ~~comply~~ complies with National Fire Protection Association Standard 1124 (2003 2006 edition); or

~~(3)~~ (4) impose on a retail seller any financial guarantee requirements, including bonding or insurance provisions, containing restrictions or conditions not imposed on the same basis on all other business licensees; or

(5) enact any ordinance, rule, or regulation that prohibits, limits, or restricts the wholesale or retail sale of novelties.

(d) This section does not preempt a town or home rule charter or statutory city from enacting and enforcing ordinances under the city charter or chapter 365, 368, 412, or 462, that regulate the conditions of use for consumer fireworks and display fireworks.

(e) For the purposes of regulating the conditions of use for consumer fireworks and display fireworks, a county has the same authority and power granted to a statutory city by paragraph (d) and chapter 412. If a home rule charter or statutory city or town has enacted an ordinance, rule, or regulation under paragraph (d), that ordinance, rule, or regulation prevails within the city or town.

**EFFECTIVE DATE.** This section is effective June 1, 2018."

Amend the title as follows:

Page 1, delete line 3

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

Amend the title numbers accordingly

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

**Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred**

**S.F. No. 3421:** A bill for an act relating to human services; extending the American Indian Child Welfare Advisory Council; amending Minnesota Statutes 2016, section 260.835, subdivision 2.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2016, section 254A.035, subdivision 2, is amended to read:

Subd. 2. **Membership terms, compensation, removal and expiration.** The membership of this council shall be composed of 17 persons who are American Indians and who are appointed by the commissioner. The commissioner shall appoint one representative from each of the following groups: Red Lake Band of Chippewa Indians; Fond du Lac Band, Minnesota Chippewa Tribe; Grand Portage Band, Minnesota Chippewa Tribe; Leech Lake Band, Minnesota Chippewa Tribe; Mille Lacs Band, Minnesota Chippewa Tribe; Bois Forte Band, Minnesota Chippewa Tribe; White Earth Band, Minnesota Chippewa Tribe; Lower Sioux Indian Reservation; Prairie Island Sioux Indian Reservation; Shakopee Mdewakanton Sioux Indian Reservation; Upper Sioux Indian Reservation; International Falls Northern Range; Duluth Urban Indian Community; and two representatives from the Minneapolis Urban Indian Community and two from the St. Paul Urban Indian Community. The terms, compensation, and removal of American Indian Advisory Council members shall be as provided in section 15.059. The council expires June 30, ~~2018~~ 2022.

Sec. 2. Minnesota Statutes 2016, section 256B.0625, subdivision 13c, is amended to read:

Subd. 13c. **Formulary Committee.** The commissioner, after receiving recommendations from professional medical associations and professional pharmacy associations, and consumer groups shall designate a Formulary Committee to carry out duties as described in subdivisions 13 to 13g. The Formulary Committee shall be comprised of four licensed physicians actively engaged in the practice of medicine in Minnesota one of whom must be actively engaged in the treatment of persons with mental illness; at least three licensed pharmacists actively engaged in the practice of pharmacy in Minnesota; and one consumer representative; the remainder to be made up of health care professionals who are licensed in their field and have recognized knowledge in the clinically appropriate prescribing, dispensing, and monitoring of covered outpatient drugs. Members of the Formulary Committee shall not be employed by the Department of Human Services, but the committee shall be staffed by an employee of the department who shall serve as an ex officio, nonvoting member of the committee. The department's medical director shall also serve as an ex officio, nonvoting member for the committee. Committee members shall serve three-year terms and may be reappointed by the commissioner. The Formulary Committee shall meet at least twice per year. The commissioner may require more frequent Formulary Committee meetings as needed. An honorarium of \$100 per meeting and reimbursement for mileage shall be paid to each committee member in attendance. The Formulary Committee expires June 30, ~~2018~~ 2022.

Sec. 3. Minnesota Statutes 2016, section 256B.093, subdivision 1, is amended to read:

Subdivision 1. **State traumatic brain injury program.** The commissioner of human services shall:

- (1) maintain a statewide traumatic brain injury program;
- (2) supervise and coordinate services and policies for persons with traumatic brain injuries;
- (3) contract with qualified agencies or employ staff to provide statewide administrative case management and consultation;
- (4) maintain an advisory committee to provide recommendations in reports to the commissioner regarding program and service needs of persons with brain injuries;
- (5) investigate the need for the development of rules or statutes for the brain injury home and community-based services waiver;
- (6) investigate present and potential models of service coordination which can be delivered at the local level; and
- (7) the advisory committee required by clause (4) must consist of no fewer than ten members and no more than 30 members. The commissioner shall appoint all advisory committee members to one- or two-year terms and appoint one member as chair. The advisory committee does not terminate until June 30, ~~2018~~ 2022."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "extending advisory councils and committees expiration dates;"

Page 1, line 3, delete "Council;"

Amend the title numbers accordingly

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

**Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred**

**S.F. No. 3172:** A bill for an act relating to human services; prohibiting disqualification of individuals subject to human services background studies with expunged criminal records; amending Minnesota Statutes 2016, sections 245C.14; 245C.15, by adding a subdivision; 245C.24, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 245C.16, subdivision 1.

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



Page 2, line 12, delete everything after "and" and insert "the order was directed specifically to the commissioner, or (2) any underlying fact or element from an expunged record of an arrest, criminal charge, or conviction and the order was directed specifically to the commissioner. Nothing in this paragraph prohibits the commissioner from disqualifying an individual based upon a separate administrative determination under section 245C.15, subdivision 4, paragraph (b), unless there is a court order directed specifically to the commissioner to expunge an administrative order."

Page 2, delete line 13

Page 2, line 31, delete everything after "and" and insert "the order was directed specifically to the commissioner, or (2) any underlying fact or element from an expunged record of an arrest, criminal charge, or conviction and the order was directed specifically to the commissioner. Nothing in this paragraph prohibits the commissioner from disqualifying an individual based upon a separate administrative determination under section 245C.15, subdivision 4, paragraph (b), unless there is a court order directed specifically to the commissioner to expunge an administrative order."

Page 2, delete line 32

Page 3, line 5, delete everything after "and" and insert "the order was directed specifically to the commissioner, or (2) any underlying fact or element from an expunged record of an arrest, criminal charge, or conviction and the order was directed specifically to the commissioner. Nothing in this subdivision prohibits the commissioner from disqualifying an individual based upon a separate administrative determination under section 245C.15, subdivision 4, paragraph (b), unless there is a court order directed specifically to the commissioner to expunge an administrative order."

Page 3, delete line 6

Page 4, line 11, delete everything after "and" and insert "the order was directed specifically to the commissioner, or any underlying fact or element from an expunged record of an arrest, criminal charge, or conviction and the order was directed specifically to the commissioner. Nothing in this paragraph prohibits the commissioner from disqualifying an individual based upon a separate administrative determination under section 245C.15, subdivision 4, paragraph (b), unless there is a court order directed specifically to the commissioner to expunge an administrative order."

Page 4, delete line 12

Page 4, after line 17, insert:

"Sec. 4. Minnesota Statutes 2016, section 245C.22, is amended by adding a subdivision to read:

Subd. 8. **Expunged records.** This section does not apply if the subject of a background study has a conviction that was expunged under chapter 609A, and the order was directed specifically to the commissioner, or any underlying fact or element from an expunged record of an arrest, criminal charge, or conviction and the order was directed specifically to the commissioner. Nothing in this subdivision prohibits the commissioner from disqualifying an individual based upon a separate administrative determination under section 245C.15, subdivision 4, paragraph (b), unless there is a court order directed specifically to the commissioner to expunge an administrative order."

Page 4, line 22, delete everything after "and" and insert "the order was directed specifically to the commissioner, or (2) any underlying fact or element from an expunged record of an arrest, criminal charge, or conviction and the order was directed specifically to the commissioner. Nothing in this subdivision prohibits the commissioner from disqualifying an individual based upon a separate administrative determination under section 245C.15, subdivision 4, paragraph (b), unless there is a court order directed specifically to the commissioner to expunge an administrative order."

Page 4, delete line 23 and insert:

"Sec. 6. Minnesota Statutes 2016, section 260C.329, subdivision 3, is amended to read:

Subd. 3. **Petition.** ~~Only the county attorney~~ A legal parent may file a petition for the reestablishment of the legal parent and child relationship. A petition for the reestablishment of the legal parent and child relationship may be filed when:

(1) ~~both the responsible social services agency and the county attorney agree that~~ reestablishment of the legal parent and child relationship is in the child's best interests;

(2) the parent has corrected the conditions that led to an order terminating parental rights;

(3) the parent is willing and has the capability to provide day-to-day care and maintain the health, safety, and welfare of the child;

(4) the child has been in foster care for at least ~~36~~ 24 months after the court issued the order terminating parental rights;

~~(5) the child is 15 years of age or older at the time the petition for reestablishment of the legal parent and child relationship is filed;~~

~~(6)~~ (5) the child has not been adopted; and

~~(7)~~ (6) the child is not the subject of a written adoption placement agreement between the responsible social services agency and the prospective adoptive parent, as required under Minnesota Rules, part 9560.0060, subpart 2.

Sec. 7. Minnesota Statutes 2016, section 260C.329, subdivision 7, is amended to read:

Subd. 7. **Service of petition on the parties.** The petition for the reestablishment of the legal parent and child relationship and notice of hearing on the petition must be served on:

(1) the child;

~~(2) the parent whose rights have been terminated and with whom the legal parent and child relationship is proposed to be reestablished;~~

(2) the county attorney;

(3) the responsible social services agency;

~~(3)~~ (4) the child's guardian ad litem; and

~~(4)~~ (5) the child's tribe if the child is subject to the Indian Child Welfare Act.

Sec. 8. Minnesota Statutes 2016, section 260C.329, subdivision 8, is amended to read:

Subd. 8. **Hearing.** The court may grant the petition ordering the reestablishment of the legal parent and child relationship only if it finds by clear and convincing evidence that:

(1) reestablishment of the legal parent and child relationship is in the child's best interests;

~~(2)~~ the child is 15 years of age or older;

~~(3)~~ (2) the child has not been adopted;

~~(4)~~ (3) the child is not the subject of a written adoption placement agreement between the responsible social services agency and the prospective adoptive parent, as required under Minnesota Rules, part 9560.0060, subpart 2;

~~(5)~~ (4) at least ~~36~~ 24 months have elapsed following a final order terminating parental rights and the child remains in foster care;

~~(6)~~ (5) the child desires to reside with the parent;

~~(7)~~ (6) the parent has corrected the conditions that led to an order terminating parental rights; and

~~(8)~~ (7) the parent is willing and has the capability to provide day-to-day care and maintain the health, safety, and welfare of the child.

Sec. 9. **REPEALER.**

Minnesota Statutes 2016, section 260C.329, subdivision 5, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "permitting legal parent to petition for reestablishment of the legal parent and child relationship;"

Amend the title numbers accordingly

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 3048:** A bill for an act relating to state government; designating Dan Patch as the official state horse; proposing coding for new law in Minnesota Statutes, chapter 1.

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 2605:** A bill for an act relating to education; elections; requiring certain information to be available in the polling place for school district bond referendums; amending the ballot language required for school district bond referendums; amending Minnesota Statutes 2016, sections 205A.07, subdivision 2; 475.58, subdivision 4; Minnesota Statutes 2017 Supplement, section 475.59, subdivision 1.

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 2585:** A bill for an act relating to health; adding security screening systems to ionizing radiation-producing equipment; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2016, section 144.121, subdivision 1a, by adding a subdivision.

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

Page 2, line 23, after "9" insert ", by December 31, 2020. If the commissioner of health does not adopt rules by December 31, 2020, rulemaking authority under this section is repealed. Rulemaking authority under this section is not continuing authority to amend or repeal the rule. Any additional action on rules once adopted must be pursuant to specific statutory authority to take the additional action"

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

**Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 2554:** A bill for an act relating to public safety; requiring collection of information on the connection between pornography and sex trafficking; expanding the authorized penalty assessment to include additional crimes; amending Minnesota Statutes 2016, sections 299A.785, subdivision 1; 609.3241.

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

Page 2, line 4, reinstate the stricken language

Page 2, line 5, after "factors" insert ", including pornography,"

Page 2, line 6, reinstate the stricken language and delete the new language

Page 2, delete lines 7 and 8

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

**Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 2620:** A bill for an act relating to retirement; benefit and contribution changes for Minnesota statewide and major local public employee retirement plans; increasing contribution rates; reducing certain postretirement adjustment rates; modifying investment return assumptions; extending amortization target dates; reducing deferred annuities augmentation; requiring a study on postretirement adjustments; making administrative changes to the Minnesota State Retirement System, Teachers Retirement Association, Public Employees Retirement Association, and St. Paul Teachers Retirement Fund Association; clarifying refund repayment procedures; modifying executive director credentials; clarifying service requirements; revising appeal procedures; modifying service credit purchase procedures; establishing new procedures for disability applications due to private disability insurance requirements; clarifying disability benefit payment provisions; modifying annual benefit limitations for federal tax code compliance; authorizing use of IRS correction procedures; clarifying benefit offsets for certain refund payments; clarifying police and fire plan coverage for certain Hennepin Healthcare System supervisors; modifying various economic actuarial assumptions; authorizing the transfer of assets and members from the voluntary statewide volunteer firefighter retirement plan to a volunteer firefighter relief association; adopting recommendations of the Volunteer Firefighter Relief Association working group; increasing the lump-sum service pension maximum and lowering certain vesting requirements for the Eden Prairie Volunteer Firefighters Relief Association; modifying the Brook Park volunteer firefighters service pension level; permitting alternative allocation of fire state aid for the city of Austin; establishing a fire state aid work group; extending a reporting deadline for the Clearbrook Fire Department Relief Association; clarifying a 1992 session law for the Swift County-Benson Hospital; modifying various Department of Human Services and Department of Corrections employment classifications eligible for correctional retirement coverage; revising augmentation interest rates for certain terminated privatized employees; adopting definition of the Hometown Heroes Act related to public safety officer death benefits; modifying defined contribution plans to allow certain distributions; allowing service credit purchase and rule of 90 eligibility for certain Minnesota Department of Transportation employees; expanding investment authority for the Hennepin County Supplemental Retirement Plan; authorizing certain MnSCU employees to elect retroactive and prospective TRA coverage; authorizing a MnSCU employee to transfer past service from IRAP to PERA; increasing maximum employer contribution to a supplemental laborers pension fund; exempting certain laborers groups from coverage; authorizing certain additional sources of retirement plan funding; making technical and conforming changes; authorizing direct state aid to the public employees police and fire retirement plan and the St. Paul Teachers Retirement Fund Association; modifying pension adjustment revenue provisions; appropriating money; amending Minnesota Statutes 2016, sections 3A.02, subdivision 4; 3A.03, subdivisions 2, 3; 16A.14, subdivision 2a; 126C.10, subdivision 37; 352.01, subdivisions 2a, 13a; 352.017, subdivision 2; 352.03, subdivisions 5, 6; 352.04, subdivisions 2, 3, 8, 9; 352.113, subdivisions 2, 4, 14; 352.116, subdivision 1a; 352.22, subdivisions 2, 3, by adding subdivisions; 352.23; 352.27; 352.91, subdivisions 3f, 3g, by adding a subdivision; 352.92, subdivisions 1, 2, by adding a subdivision; 352.955, subdivision 3; 352B.013, subdivision 2; 352B.02, subdivisions 1a, 1c; 352B.08, by adding a subdivision; 352B.085; 352B.086; 352B.11, subdivision 4; 352D.02, subdivisions 1, 3; 352D.04, subdivision 2; 352D.05, subdivision 4; 352D.085, subdivision 1; 352D.11, subdivision 2; 352D.12; 352F.04, subdivisions 1, 2, by adding a subdivision; 353.01, subdivisions

2b, 10, 16, 43, 47; 353.012; 353.0162; 353.03, subdivision 3; 353.27, subdivisions 7a, 12, 12a, 12b; 353.28, subdivision 5; 353.29, subdivisions 4, 7; 353.30, subdivisions 3c, 5; 353.32, subdivisions 1, 4; 353.34, subdivisions 2, 3; 353.35, subdivision 1; 353.37, subdivision 1; 353.64, subdivision 10; 353.65, subdivisions 2, 3, by adding a subdivision; 353D.07; 353F.02, subdivision 5a; 353F.025, subdivision 2; 353F.04, subdivision 2; 353F.05; 353F.057; 353F.06; 353F.07; 353G.01, subdivision 9, by adding a subdivision; 353G.02, subdivision 6; 353G.03, subdivision 3; 353G.08, subdivision 3; 353G.11, subdivision 1; 354.05, subdivision 2, by adding a subdivision; 354.06, subdivisions 2, 2a; 354.095; 354.42, subdivisions 2, 3; 354.435, subdivision 4; 354.436, subdivision 3; 354.44, subdivisions 3, 6, 9; 354.45, by adding a subdivision; 354.46, subdivision 6; 354.48, subdivision 1; 354.49, subdivision 2; 354.50, subdivision 2; 354.51, subdivision 5; 354.512; 354.52, subdivisions 4, 4d; 354.53, subdivision 5; 354.55, subdivision 11; 354.66, subdivision 2; 354.72, subdivisions 1, 2; 354A.011, subdivisions 3a, 29; 354A.093, subdivisions 4, 6; 354A.095; 354A.096; 354A.12, subdivisions 1, 1a, 2a, 3a, 3c, 7; 354A.29, subdivision 7; 354A.31, subdivisions 3, 5, 6, 7; 354A.34; 354A.35, subdivision 2; 354A.36, subdivision 4; 354A.37, subdivisions 2, 3; 354A.38; 356.195, subdivision 2; 356.215, subdivisions 9, 11; 356.24, subdivision 1; 356.30, subdivision 1; 356.32, subdivision 2; 356.415, subdivisions 1, 1a, 1b, 1c, 1d, 1e, 1f, by adding a subdivision; 356.44; 356.47, subdivisions 1, 3; 356.50, subdivision 2; 356.551, subdivision 2; 356.635, subdivision 10, by adding subdivisions; 356.645; 356.96, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 356A.06, subdivision 7; 383B.47; 383B.48; 383B.49; 383B.50; 423A.02, subdivisions 3, 5; 423A.022, subdivision 5; 424A.001, subdivisions 2, 3, 10, by adding a subdivision; 424A.002, subdivision 1; 424A.01, subdivisions 1, 5, 6, by adding subdivisions; 424A.015, subdivision 1, by adding a subdivision; 424A.016, subdivision 2; 424A.02, subdivisions 1, 3a, 7; 424A.04, subdivision 1; 424A.07; 424A.091, subdivision 3; 424A.094, subdivision 3; 424A.10, subdivision 1; 424B.20, subdivision 4; 490.121, subdivisions 4, 25, 26; 490.1211; 490.123, by adding a subdivision; 490.124, subdivision 12; Minnesota Statutes 2017 Supplement, sections 353.27, subdivision 3c; 356.215, subdivision 8; Laws 1992, chapter 534, section 10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 353F; 353G; 356; 424A; repealing Minnesota Statutes 2016, sections 3A.12; 352.04, subdivision 11; 352.045; 352.72; 352B.30; 353.0161; 353.27, subdivision 3b; 353.34, subdivision 6; 353.71; 354.42, subdivisions 4a, 4b, 4c, 4d; 354.60; 354A.12, subdivision 2c; 354A.29, subdivisions 8, 9; 354A.39; 356.611, subdivisions 3, 3a, 4, 5; 356.96, subdivisions 14, 15; 424A.02, subdivision 13; Laws 2008, chapter 349, article 8, section 4.

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

**Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 3154:** A bill for an act relating to state government; ratifying certain labor agreements and compensation plans.

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

Page 2, after line 20, insert:

"Subd. 9. **Minnesota Nurses Association.** The labor agreement between the state of Minnesota and the Minnesota Nurses Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on March 8, 2018, is ratified."

Page 3, after line 3, insert:

"Subd. 5. **Minnesota state personnel plan for administrators.** The Minnesota state personnel plan for administrators, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on March 21, 2018, is ratified."

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 3621, 3596, 3491, 3248, 3326, 3306, 1097, 3118, 3090, 3182, 3404, 3169, 3170, 2921, 3167, 3214, 3411, 3048, 2554, 2620, and 3154 were read the second time.

### SECOND READING OF HOUSE BILLS

H.F. Nos. 2636 and 3158 were read the second time.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

#### **Senator Fischbach introduced--**

**S.F. No. 3733:** A bill for an act relating to education; allowing patriotic societies the opportunity to encourage student participation; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on E-12 Policy.

#### **Senator Gazelka introduced--**

**S.F. No. 3734:** A bill for an act relating to transportation; designating a segment of marked Trunk Highway 210 in Cass County as State Trooper Ray Krueger Memorial Highway; amending Minnesota Statutes 2016, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

#### **Senators Johnson and Eken introduced--**

**S.F. No. 3735:** A bill for an act relating to taxation; property; exempting certain property from the state general levy; amending Minnesota Statutes 2017 Supplement, section 275.025, subdivisions 1, 2.

Referred to the Committee on Taxes.

**Senator Champion introduced--**

**S.F. No. 3736:** A bill for an act relating to public safety; restoring the civil right to vote of an individual upon release from incarceration or upon sentencing if no incarceration is imposed; requiring notice; repealing county attorney obligation to promptly investigate voter registration and eligibility; amending Minnesota Statutes 2016, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 204C.10; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 201; 243; repealing Minnesota Statutes 2016, section 201.275.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Champion introduced--**

**S.F. No. 3737:** A bill for an act relating to public safety; requiring law enforcement to notify public when predatory offender is no longer found in area; amending Minnesota Statutes 2016, section 244.052, subdivision 4.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Hoffman, Pappas, Franzen, Hayden, and Hawj introduced--**

**S.F. No. 3738:** A bill for an act relating to economic development; appropriating money for a grant to African Economic Development Solutions (AEDS).

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Mathews introduced--**

**S.F. No. 3739:** A bill for an act relating to mass transit; requiring a Northstar Link commuter bus stop in the city of Clear Lake;

Referred to the Committee on Transportation Finance and Policy.

**Senator Mathews introduced--**

**S.F. No. 3740:** A bill for an act relating to capital investment; appropriating money to the city of Foley for regionalization of wastewater treatment; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Mathews introduced--**

**S.F. No. 3741:** A bill for an act relating to natural resources; modifying management requirements for Sand Dunes State Forest; amending Laws 2017, chapter 93, article 2, section 155.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.



**Senator Nelson introduced--**

**S.F. No. 3742:** A bill for an act relating to education; requiring a credit in government and citizenship for high school graduation; amending Minnesota Statutes 2016, section 120B.024, subdivision 1; Minnesota Statutes 2017 Supplement, section 120B.36, subdivision 1.

Referred to the Committee on E-12 Policy.

**Senators Nelson and Tomassoni introduced--**

**S.F. No. 3743:** A bill for an act relating to education finance; providing incentive grants for character development education; appropriating money.

Referred to the Committee on E-12 Policy.

**Senator Nelson introduced--**

**S.F. No. 3744:** A resolution memorializing the Congress of the United States to direct the United States Food and Drug Administration to conduct trials for medical marijuana research.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Nelson introduced--**

**S.F. No. 3745:** A bill for an act relating to health; authorizing the x-ray practice of cardiovascular technologists who meet certain education requirements; amending Minnesota Statutes 2016, section 144.121, subdivision 5a.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Benson introduced--**

**S.F. No. 3746:** A bill for an act relating to education; requiring school boards to adopt student mobile device policies; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on E-12 Policy.

**Senator Gazelka introduced--**

**S.F. No. 3747:** A bill for an act relating to capital investment; appropriating money for the Wadena Armory; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Koran introduced--**

**S.F. No. 3748:** A bill for an act relating to liquor; establishing the Minnesota Grape and Wine Council; establishing a grant program for promotion, education, and development of Minnesota wines; establishing sales and use tax nexus for certain direct shippers; depositing certain revenues;

requiring direct shipper's license for certain shipments of wine to consumers; establishing reporting requirements for direct shippers; appropriating money; amending Minnesota Statutes 2016, sections 295.75, subdivisions 1, 2, 11; 297A.66, subdivision 3; 340A.417; Minnesota Statutes 2017 Supplement, section 297A.94; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senator Wiklund introduced--**

**S.F. No. 3749:** A bill for an act relating to child care business development; providing grants to promote child care business start-up and expansion; appropriating money; requiring reports.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Johnson, Utke, Eichorn, and Tomassoni introduced--**

**S.F. No. 3750:** A bill for an act relating to energy; modifying permitting process for certain pipelines; amending Minnesota Statutes 2016, section 216G.02, by adding a subdivision.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senator Johnson introduced--**

**S.F. No. 3751:** A bill for an act relating to capital investment; appropriating money for a grant to the city of Climax to connect to the Marshall-Polk Rural Water System; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Johnson and Westrom introduced--**

**S.F. No. 3752:** A bill for an act relating to environment; allowing counties interim permitting of existing demolition debris land disposal facilities until permit issued by Pollution Control Agency under revised rules; requiring a report.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Anderson, P. introduced--**

**S.F. No. 3753:** A bill for an act relating to taxation; sales and use; providing an exemption for certain collegiate ticket purchasing rights; amending Minnesota Statutes 2016, section 297A.67, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Kiffmeyer and Benson introduced--**

**S.F. No. 3754:** A bill for an act relating to state government; prohibiting an exclusive representative from charging a fair share fee to nonmembers; amending Minnesota Statutes 2016, section 179A.06, subdivision 3.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 3755:** A bill for an act relating to capital investment; appropriating money for campground and related facility improvements in Gilbert; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni, Hoffman, and Bakk introduced--**

**S.F. No. 3756:** A bill for an act relating to taxation; individual income and corporate franchise; allowing a tax credit for certain mechanical insulation; amending Minnesota Statutes 2016, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Tomassoni and Eichorn introduced--**

**S.F. No. 3757:** A bill for an act relating to natural resources; appropriating money to monitor and model water levels in certain open-pit mines.

Referred to the Committee on Environment and Natural Resources Finance.

**Senator Bakk introduced--**

**S.F. No. 3758:** A bill for an act relating to taxation; local government aid; providing additional aid adjustments; amending Minnesota Statutes 2016, section 477A.013, subdivision 13.

Referred to the Committee on Taxes.

**Senator Jensen introduced--**

**S.F. No. 3759:** A bill for an act relating to elections; providing for the election of state legislators without political party designation; amending Minnesota Statutes 2016, sections 204D.08, subdivisions 4, 6; 204D.13, subdivision 1.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Bigham and Miller introduced--**

**S.F. No. 3760:** A bill for an act relating to energy; requiring the Public Utilities Commission to consider employment opportunity growth when evaluating certain certificate of need applications; modifying criteria used to evaluate compliance with renewable energy standards; amending Minnesota Statutes 2016, sections 216B.1691, subdivisions 2d, 9, by adding a subdivision; 216B.243, subdivision 3, by adding a subdivision.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senators Hoffman, Newton, and Tomassoni introduced--**

**S.F. No. 3761:** A bill for an act relating to motor vehicles; establishing military ready reserve special license plates; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Hall and Anderson, B. introduced--**

**S.F. No. 3762:** A bill for an act relating to public safety; appropriating money for youth intervention programs.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Lourey introduced--**

**S.F. No. 3763:** A bill for an act relating to emergency and public safety communications; establishing training requirements for 911 telecommunicators and dispatchers; amending Minnesota Statutes 2016, section 403.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 403.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Kiffmeyer introduced--**

**S.F. No. 3764:** A bill for an act relating to state government; requiring state agencies to dedicate a portion of their information technology expenditures to cyber security enhancements; amending Minnesota Statutes 2016, sections 16A.11, subdivision 1, by adding a subdivision; 16E.03, subdivision 7.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Housley, Sparks, and Westrom introduced--**

**S.F. No. 3765:** A bill for an act relating to agriculture; providing that bee and apiary solar farms are an agricultural use for purposes of mandatory review of certain state agency actions; modifying requirements for a solar generation site claimed to provide habitat beneficial to birds and pollinators; providing that a bee and apiary solar farm is an agricultural use for purposes of a metropolitan

agricultural preserve; amending Minnesota Statutes 2016, sections 17.81, subdivision 4; 216B.1642; 473H.02, subdivision 3, by adding a subdivision; 473H.05, subdivision 1.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

**Senators Hall, Hayden, Hawj, Relph, and Hoffman introduced--**

**S.F. No. 3766:** A bill for an act relating to economic development; appropriating money for mixed-use, multifamily housing.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Hayden introduced--**

**S.F. No. 3767:** A bill for an act relating to state government; acknowledging the fundamental injustice, cruelty, brutality, and inhumanity suffered by certain groups in Minnesota's history; establishing a commission to study and report recommendations to provide appropriate remedies.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Kent, Cwodzinski, Wiger, Hoffman, and Clausen introduced--**

**S.F. No. 3768:** A bill for an act relating to education; modifying teacher licensure requirements; amending Minnesota Statutes 2017 Supplement, sections 122A.181, subdivisions 3, 5, 6; 122A.182, subdivisions 1, 3, 7; 122A.183, subdivisions 2, 4; 122A.184, subdivisions 1, 3; 122A.22; 122A.40, subdivision 8; 122A.41, subdivision 5; repealing Minnesota Statutes 2017 Supplement, section 122A.182, subdivision 2.

Referred to the Committee on E-12 Policy.

**Senators Bakk and Miller introduced--**

**S.F. No. 3769:** A bill for an act relating to economic development; extending funds available for a workforce development training program; amending Laws 2017, chapter 94, article 1, section 2, subdivision 3.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Lang introduced--**

**S.F. No. 3770:** A bill for an act relating to motor vehicles; authorizing use of a trailer to tow overdimensional loads in certain instances; amending Minnesota Statutes 2016, section 299D.085, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senator Anderson, B. introduced--**

**S.F. No. 3771:** A bill for an act relating to cemeteries; providing for the mandatory transfer of certain abandoned cemeteries; requiring a report to the state auditor on abandoned cemeteries; amending Minnesota Statutes 2016, section 306.243, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senator Limmer introduced--**

**S.F. No. 3772:** A bill for an act relating to human services; modifying licensed alcohol and drug counselor and human services licensing background study disqualifications; amending Minnesota Statutes 2016, sections 148F.025, subdivision 4; 245C.15, by adding a subdivision.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Miller; Anderson, P.; Relph; and Eichorn introduced--**

**S.F. No. 3773:** A bill for an act relating to employment; delaying the effective date for rules relating to extended employment.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Nelson introduced--**

**S.F. No. 3774:** A bill for an act relating to human services; modifying adult foster care provisions; amending Minnesota Statutes 2017 Supplement, sections 245A.03, subdivision 7; 245A.11, subdivision 2a.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Abeler, Newton, and Hoffman introduced--**

**S.F. No. 3775:** A bill for an act relating to capital investment; appropriating money for U.S. Highway 10 and supporting frontage roads in the cities of Anoka, Coon Rapids, and Ramsey; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Hayden and Hall introduced--**

**S.F. No. 3776:** A bill for an act relating to public safety; appropriating money to address alternatives to juvenile detention throughout the state.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Anderson, P.; Rest; Pratt; Senjem; and Miller introduced--**

**S.F. No. 3777:** A bill for an act relating to taxation; individual income; modifying the subtraction for charitable contributions for taxpayers who do not itemize; amending Minnesota Statutes 2016, section 290.0132, subdivision 7.

Referred to the Committee on Taxes.

**Senators Isaacson and Klein introduced--**

**S.F. No. 3778:** A bill for an act relating to education; authorizing school districts to bond for certain security equipment; modifying the safe schools revenue program; appropriating money; amending Minnesota Statutes 2016, sections 123B.61; 126C.44.

Referred to the Committee on E-12 Policy.

**Senator Hayden introduced--**

**S.F. No. 3779:** A bill for an act relating to human services; establishing the Minnesota African American Family Preservation Act; creating an African American Child Welfare Oversight Council; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 260.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Hayden introduced--**

**S.F. No. 3780:** A bill for an act relating to human services; directing the commissioner of human services to allow brain injury and community access for disability inclusion waivers customized living services provider to transfer capacity to up to three other housing with services settings located in Hennepin County.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Newton and Little introduced--**

**S.F. No. 3781:** A bill for an act relating to veterans; applying an expanded definition of veterans for purposes of eligibility for the veteran's identifier on state-issued identification cards; amending Minnesota Statutes 2016, section 171.07, subdivision 15.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Abeler and Hoffman introduced--**

**S.F. No. 3782:** A bill for an act relating to civil commitment; modifying the 48-hour rule requirements; amending Minnesota Statutes 2017 Supplement, section 253B.10, subdivision 1.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Frentz, Lourey, Dziedzic, Hayden, and Klein introduced--**

**S.F. No. 3783:** A bill for an act relating to human services; modifying MFIP reporting requirements; amending Minnesota Statutes 2016, section 256J.30, subdivision 5.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Clausen introduced--**

**S.F. No. 3784:** A bill for an act relating to education; requiring teacher preparation programs to include instruction on dyslexia; amending Minnesota Statutes 2017 Supplement, section 122A.092, subdivision 5.

Referred to the Committee on E-12 Policy.

**Senator Anderson, B. introduced--**

**S.F. No. 3785:** A bill for an act relating to motor vehicles; authorizing registration and use of certain decommissioned military vehicles; amending Minnesota Statutes 2016, section 168.10, subdivision 1h.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Anderson, B. and Relph introduced--**

**S.F. No. 3786:** A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

Referred to the Committee on Finance.

**Senator Senjem introduced--**

**S.F. No. 3787:** A bill for an act relating to education finance; appropriating money for a teacher preparation program leading to a license to teach the blind or visually impaired.

Referred to the Committee on E-12 Finance.

**Senator Klein introduced--**

**S.F. No. 3788:** A bill for an act relating to economic development; appropriating money for a grant to an economically depressed city.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Hawj, Bigham, Klein, Marty, and Eaton introduced--**

**S.F. No. 3789:** A bill for an act relating to economic development; appropriating money for outreach to the Somali community.



Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Ingebrigtsen, Johnson, Jasinski, Eichorn, and Sparks introduced--**

**S.F. No. 3790:** A bill for an act relating to environment; prohibiting use of ambient air quality standards as individual facility standards; specifying requirements for documenting proposals to implement pollution standards more stringent than comparable federal standards; amending Minnesota Statutes 2016, section 116.07, subdivision 2.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Hawj introduced--**

**S.F. No. 3791:** A bill for an act relating to economic development; appropriating money for outreach to the Somali community.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Abeler, Lourey, Hayden, Fischbach, and Rosen introduced--**

**S.F. No. 3792:** A bill for an act relating to health; establishing licensing requirements for behavior analysts and assistant behavior analysts; amending Minnesota Statutes 2016, section 148B.51; proposing coding for new law in Minnesota Statutes, chapter 148B.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Anderson, P. and Wiklund introduced--**

**S.F. No. 3793:** A bill for an act relating to local government; modifying Hennepin County competitive bidding; amending Minnesota Statutes 2016, section 383B.145, by adding a subdivision.

Referred to the Committee on Local Government.

**Senator Ingebrigtsen introduced--**

**S.F. No. 3794:** A bill for an act relating to public safety; requiring law enforcement agencies to issue firearms to peace officers; amending Minnesota Statutes 2016, section 626.8452, subdivision 1.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

## MOTIONS AND RESOLUTIONS

Senator Utke moved that the name of Senator Eaton be added as a co-author to S.F. No. 727. The motion prevailed.

Senator Nelson moved that the name of Senator Miller be added as a co-author to S.F. No. 1141. The motion prevailed.

Senator Pratt moved that the name of Senator Marty be added as a co-author to S.F. No. 2319. The motion prevailed.

Senator Wiger moved that the name of Senator Chamberlain be added as a co-author to S.F. No. 2577. The motion prevailed.

Senator Tomassoni moved that his name be stricken as a co-author to S.F. No. 2704. The motion prevailed.

Senator Hayden moved that the name of Senator Benson be added as a co-author to S.F. No. 2786. The motion prevailed.

Senator Pratt moved that the name of Senator Hall be added as a co-author to S.F. No. 2809. The motion prevailed.

Senator Koran moved that the name of Senator Carlson be added as a co-author to S.F. No. 2869. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Carlson be added as a co-author to S.F. No. 3306. The motion prevailed.

Senator Koran moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 3464. The motion prevailed.

Senator Osmek moved that the name of Senator Eichorn be added as a co-author to S.F. No. 3510. The motion prevailed.

Senator Bakk moved that the name of Senator Eichorn be added as a co-author to S.F. No. 3580. The motion prevailed.

Senator Rosen moved that her name be stricken as chief author and the name of Senator Wiger, by request, be added as chief author to S.F. No. 3585. The motion prevailed.

Senator Koran moved that the name of Senator Bigham be added as a co-author to S.F. No. 3636. The motion prevailed.

Senator Hall moved that the name of Senator Housley be added as a co-author to S.F. No. 3732. The motion prevailed.

**Senator Franzen introduced --**

**Senate Resolution No. 193:** A Senate resolution congratulating the Edina High School girls hockey team on winning the 2018 State High School Class AA girls hockey championship.

Referred to the Committee on Rules and Administration.

S.F. No. 3133 and the Conference Committee Report thereon were reported to the Senate.

**SUSPENSION OF RULES**

Senator Gazelka moved that the 12-hour requirement of Joint Rule 2.06 be suspended as it relates to the Conference Committee Report on S.F. No. 3133. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S.F. No. 3133**

A bill for an act relating to public safety; requiring the legislative auditor to appoint an information technology auditor to conduct an assessment of MNLARS; establishing a MNLARS steering committee; appropriating money.

March 22, 2018

The Honorable Michelle L. Fischbach  
President of the Senate

The Honorable Kurt L. Daudt  
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 3133 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 3133 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **MNLARS SUPPLEMENTAL APPROPRIATIONS; REDUCTIONS, TRANSFERS.**

Subdivision 1. **Appropriations; MNLARS.** \$9,650,000 in fiscal year 2018 is appropriated from the special revenue fund to the commissioner of public safety for costs related to continued development, improvement, operations, and deployment of the driver and vehicle services information system known as the Minnesota Licensing and Registration System (MNLARS). Of this amount, \$2,150,000 is from the vehicle services operating account and \$7,500,000 is from the driver services operating account. This is a onetime appropriation.

Subd. 2. **Appropriations; Office of the Legislative Auditor.** \$100,000 in fiscal year 2018 and \$250,000 in fiscal year 2019 are appropriated to the Office of the Legislative Auditor from the vehicle services operating account in the special revenue fund for the information technology auditor position established in section 3. This is a onetime appropriation.

Subd. 3. **Use of funds.** (a) The appropriations in subdivision 1 must be expended only in the specified amounts for the following purposes:

(1) \$7,051,000 for contracting to perform software development on the vehicle services component of MNLARS; and

(2) \$2,599,000 for technology costs, which consists of:

- (i) \$100,000 for user authentication and access control management;
- (ii) \$20,000 for testing environment hardware, including servers and data storage;
- (iii) \$650,000 for partial relocation of data from the enterprise data center;
- (iv) \$780,000 for disaster recovery preparedness; and
- (v) \$1,049,000 for contracted software review and software development support services.

(b) The appropriations in this section must not be spent on:

(1) additional full- or part-time employees employed by the Department of Public Safety; or

(2) an audit, evaluation, or assessment on the feasibility of a proposed plan to resolve MNLARS defects and implement all MNLARS functionality conducted by the Department of Public Safety, the Office of MN.IT Services, or an entity hired by the Department of Public Safety or the Office of MN.IT Services.

Subd. 4. **Adjustments.** After May 1, 2018, if the commissioner of public safety and state chief information officer determine the amounts allocated in subdivision 3 need to be adjusted, the commissioner and state chief information officer may submit to the MNLARS Steering Committee established under section 4 a request to adjust the allocated amounts within existing appropriations. The commissioner and state chief information officer must provide, at a minimum, the proposed changes and a line item explanation of how the reallocated funds would be spent. The commissioner and state chief information officer must also submit a written explanation of the need to adjust the funds. A majority of the committee may, by affirmative vote, approve the adjustment to the appropriation amounts in subdivision 3.

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

## Sec. 2. **MNLARS IMPLEMENTATION REQUIREMENTS.**

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

(b) "Information technology auditor" means the individual appointed by the legislative auditor under section 3, subdivision 1.

(c) "MNLARS" means the driver and vehicle information system known as the Minnesota Licensing and Registration System.

(d) "Committee" means the MNLARS Steering Committee established under section 4.

(e) "Quarter" means a three-month period starting on July 1, October 1, January 1, or April 1, in fiscal year 2019.

Subd. 2. **Project timeline; deadlines; performance measures; plans.** (a) By May 1, 2018, the commissioner of public safety and the state chief information officer must submit to the committee:

(1) a detailed project budget;

(2) a proposed project timeline to develop and implement MNLARS that includes specific deadlines and performance measures that must be met in each quarter;

(3) a proposed plan for user acceptance testing, including deputy registrars and auto dealers located both outside the metropolitan area and within the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, to the extent such testing is deemed feasible by the Minnesota Deputy Registrars Association and the Minnesota Automobile Dealers Association;

(4) a proposed plan for system stakeholder input on code releases to MNLARS;

(5) a proposed communications plan for transparent reporting on MNLARS outages and slowdowns to system stakeholders, including how to communicate (i) status information in a timely manner and usable format, (ii) actions taken in response to communication, and (iii) responses from the Department of Public Safety and the Office of MN.IT Services;

(6) a proposed communications plan for postrelease reporting on features and fixes to system stakeholders; and

(7) a proposed plan to create greater efficiencies and streamline the vehicle title process to reduce the current backlog and to minimize any future backlogs.

(b) At a minimum, the performance measures required under paragraph (a), clause (2), must provide specific metrics to monitor MNLARS development and implementation activities, including measures of:

(1) the extent to which MNLARS defects have been resolved;

(2) the extent to which gaps in MNLARS functionality have been resolved;

(3) improvements in the ability of MNLARS users to edit transactions;

(4) reduction in the backlog of vehicle titles;

(5) the extent of errors in driver or vehicle transactions;

(6) system performance, including the extent of any slowdowns, outages, or other system performance issues; and

(7) customer service responsiveness, which may include the number of phone calls and e-mails from the general public and stakeholders, and the timeliness of inquiry responses.

(c) The project timeline, deadlines, performance measures, and plans under this subdivision are not administrative rules and are not subject to Minnesota Statutes, chapter 14.

Subd. 3. **Progress reporting.** (a) By May 1, 2018, and between 20 and 30 days before the start of each quarter, the commissioner of public safety and the state chief information officer must submit a progress report to the committee and the information technology auditor. At a minimum, each progress report must identify MNLARS project activity, including but not limited to:

(1) information sufficient to determine whether deadlines under the project timeline have been met, and an explanation of the circumstances for any deadlines that have not been met;

(2) details on the status in achieving each performance measure;

(3) an overview of project activity during the reporting period, including compliance with each of the plans;

(4) information on project staffing and contractors, including separate lists detailing the amount spent for state employees and the amount spent for private contractors in the preceding quarter, itemized by the number of employees and contractors, the project duties for each, and the agency responsible for employees' or contractors' work; and

(5) information on any additional or unexpected costs identified to date, including a detailed explanation of the additional or unexpected costs and the specific steps taken to reduce other costs to ensure the overall MNLARS project expenditures remain within the project budget.

(b) Each report must include the statement "I affirm that the statements submitted to the committee in this document are complete and truthful to the best of my knowledge." The commissioner of public safety and the state chief information officer must each sign an acknowledgment of this statement.

Subd. 4. **Stakeholder reporting.** Between 20 and 30 days before the start of each quarter, the Minnesota Deputy Registrars Association, the Minnesota Automobile Dealers Association, and any other stakeholders are each encouraged to submit a report to the committee regarding the progress on the relevant performance measures established under subdivision 2, paragraph (b).

Subd. 5. **Request for information; report.** (a) No later than May 1, 2018, the commissioner of public safety must issue a request for information as described in this subdivision. The request for information must obtain advice from qualified vendors regarding the feasibility of using a private vendor to develop, deploy, and maintain a vehicle information system that replaces functionality in MNLARS.

(b) The request for information must solicit advice on procuring a replacement vehicle information system that:

(1) is cost-effective, reliable, consumer- and user-friendly, and implemented in a timely manner; and

(2) contains functionality that substantially matches the functionality and features of the legacy information technology system in place prior to initial implementation of MNLARS.

(c) The request for information must be designed to obtain implementation information that includes:

(1) feasibility, costs, and a preliminary estimated timeline or schedule for implementation;

(2) a breakdown of costs for vehicle services components and functionality, including costs of integrating a vehicle services information system with a separately developed driver services information system; and

(3) capacity and experience of a potential vendor.

(d) The request for information under this section must be published in the state register and on the Web site of the Department of Administration at least 14 days prior to closing. The request must otherwise be administered according to the requirements of Minnesota Statutes, chapter 16C, to the extent applicable, except that a vendor's submission does not constitute a response to a solicitation, as defined in Minnesota Statutes, section 16C.02, subdivision 14. The commissioner is prohibited from using a vendor submission in response to a request for information under this section to enter a contract unless the terms of the submission are later included in a vendor's response to a formal solicitation, as defined in Minnesota Statutes, section 16C.02, subdivision 7.

(e) No later than August 1, 2018, the commissioner must submit a report to the committee and the information technology auditor that summarizes the responses and information received from qualified vendors under this section.

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

**Sec. 3. INFORMATION TECHNOLOGY AUDITOR; MNLARS ASSESSMENTS.**

Subdivision 1. **Appointment.** The legislative auditor must appoint an information technology auditor to actively monitor and report on the development and implementation of the Minnesota Licensing and Registration System (MNLARS). At a minimum, the person appointed to this position must have expertise in .NET software development and must have project management experience.

Subd. 2. **Duties.** (a) The information technology auditor must conduct an assessment of MNLARS. Upon completion, the assessment must be provided to the MNLARS Steering Committee established under section 4. At a minimum, the assessment must include:

(1) a technical assessment of MNLARS;

(2) an assessment on the feasibility of the MNLARS Project Roadmap proposed by the Department of Public Safety and the Office of MN.IT Services in January 2018, and the project timeline under section 2, subdivision 2;

(3) an assessment of estimated funding needs for the continued development, operations, and maintenance of MNLARS; and

(4) an assessment of process changes and business workflows for auto dealers and deputy registrars.

(b) Each quarter, the information technology auditor must report to the MNLARS Steering Committee whether the commissioner of public safety and the state chief information officer are:

(1) meeting the deadlines and performance measures in the project timeline required in section 2, subdivision 2; and

(2) in compliance with the plans required in section 2, subdivision 2.

(c) The quarterly reports under paragraph (b) must be submitted to the committee between 20 and 30 days before the start of each quarter.

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

Sec. 4. **MNLARS STEERING COMMITTEE; QUARTERLY FUNDING REVIEW.**

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

(b) "Committee" means the MNLARS Steering Committee established in this section.

(c) "Commissioner" means the commissioner of management and budget or the commissioner's designee.

(d) "MNLARS" means the driver and vehicle information system known as the Minnesota Licensing and Registration System.

(e) "Information technology auditor" means the individual appointed by the legislative auditor pursuant to section 3, subdivision 1.

(f) "Quarter" means a three-month period starting on July 1, October 1, January 1, or April 1, in fiscal year 2019.

Subd. 2. **MNLARS Steering Committee; membership.** (a) A MNLARS Steering Committee is established. The committee is made up of the following members:

(1) the chair of the senate Finance Committee, or a senator appointed by the chair of the senate Finance Committee;

(2) the chair and ranking minority member of the senate committee with jurisdiction over transportation finance;

(3) the chair of the house of representatives Ways and Means Committee, or a member of the house of representatives appointed by the chair of the house of representatives Ways and Means Committee; and

(4) the chair and ranking minority member of the house of representatives committee with jurisdiction over transportation finance.

Subd. 3. **Meetings.** (a) The senate chair of the committee with jurisdiction over transportation finance must convene the initial meeting of the committee by May 1, 2018.

(b) The chairs of the house of representatives and senate committees with jurisdiction over transportation finance serve as cochairs of the committee.

(c) The committee must meet at least once each quarter.

(d) The committee is subject to Minnesota Statutes, section 3.055, except that a member may vote by submitting a written statement indicating how the member votes on a motion. This written statement must be treated in the same manner as the votes of the members present at the meeting. The vote must be submitted to all members prior to the start of the meeting at which the vote will take place.



(e) The Legislative Coordinating Commission must provide meeting space and administrative support for the committee.

Subd. 4. **Committee duties.** (a) The committee must review the proposed timeline, including deadlines and performance measures, and the proposed plans submitted under section 2, subdivision 2. The committee may request that the commissioner of public safety and the state chief information officer make changes to the timeline and plans. Prior to reviewing the July 1 quarterly allotment, the committee must approve a timeline and plans. The cochairs must transmit copies of the timeline and plans to the information technology auditor.

(b) The committee must review (1) the progress reports submitted under section 2, subdivision 3; (2) reports from the information technology auditor under section 3, subdivision 2; and (3) quarterly appropriations as provided in subdivision 5.

(c) The committee may contract with, hire, or otherwise consult with any individual to assist the committee with its duties.

Subd. 5. **Review of appropriations.** (a) Funds appropriated in fiscal year 2019 to the commissioner of public safety for MNLARS are divided into four equal quarters. The commissioner must allot a quarter of the funds on July 1, October 1, January 1, and April 1, unless otherwise directed by the committee under this section. Twenty days prior to the start of a quarter, the commissioner must submit a proposal to allot funds for MNLARS to the members of the committee for review and recommendation.

(b) The committee members have 20 days from the receipt of a proposal to determine whether the Department of Public Safety and the Office of MN.IT Services have met the deadlines and performance measures established in section 2, subdivision 2. If during the 20-day review period a majority of the committee members affirmatively votes to:

(1) defer, reduce, or further condition the next quarterly allotment based on the failure to meet deadlines or performance measures; or

(2) recommend further review to determine whether deadlines and performance measures have been met,

the commissioner must defer, reduce, or condition the quarterly funds as provided in the committee vote. If the committee votes to recommend further review, the commissioner must defer the next quarterly payment.

(c) A committee member, by written notice to the commissioner, may withdraw the member's affirmative vote made under paragraph (b) within 20 days of the vote. If within 20 days of the vote one or more members withdraw an affirmative vote under this paragraph so that three or fewer affirmative votes remain, the commissioner may allot the quarterly funds to the commissioner of public safety for MNLARS.

(d) If a quarterly allotment is not made under paragraph (a) or (b), the commissioner must allot to the commissioner of public safety an amount sufficient to fund an additional 30 days for contracted technical staff working on MNLARS.

Subd. 6. **Resubmission of proposal.** If a proposed allotment is deferred under subdivision 5, the commissioner may submit proposed legislation to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee for consideration during the 2019 legislative session.

**EFFECTIVE DATE; APPLICATION.** This section is effective the day following final enactment. Subdivisions 4 and 5 apply to any money appropriated in fiscal year 2019 for MNLARS in this act or any subsequent act.

Sec. 5. **REAL ID ACT EXTENSIONS.**

The commissioner of public safety must coordinate with the governor to seek any extensions available from the United States Department of Homeland Security with respect to federal enforcement of the REAL ID Act of 2005, Public Law 109-13, Division B. The commissioner must make all feasible efforts to promptly obtain extensions.

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

Sec. 6. **EXPIRATION.**

Section 2, subdivisions 2 to 4, and section 4, expire upon full implementation of MNLARS, which includes but is not limited to resolution of all significant defects, implementation of all functionality gaps identified in the project timeline, and decommissioning of the legacy driver and vehicle services information technology system. The MNLARS Steering Committee must determine when MNLARS is fully implemented.

Sec. 7. **SEVERABILITY.**

If any provision of sections 1 to 6 or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of sections 1 to 6 that can be given effect without the invalid provision or application. The provisions of this section are severable.

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

Delete the title and insert:

"A bill for an act relating to public safety; establishing certain requirements with respect to the development and implementation of the Minnesota Licensing and Registration System; requiring a report; appropriating money."

We request the adoption of this report and repassage of the bill.

Senate Conferees: Scott J. Newman, David J. Osmek, D. Scott Dibble

House Conferees: Paul Torkelson, Dave Baker, Michael V. Nelson

Senator Newman moved that the foregoing recommendations and Conference Committee Report on S.F. No. 3133 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 3133 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 48 and nays 17, as follows:

Those who voted in the affirmative were:

Abeler	Dziedzic	Ingebrigtsen	Lourey	Ruud
Anderson, B.	Eichorn	Isaacson	Marty	Senjem
Anderson, P.	Eken	Jasinski	Mathews	Simonson
Benson	Fischbach	Jensen	Miller	Sparks
Carlson	Frentz	Johnson	Nelson	Tomassoni
Chamberlain	Gazelka	Kiffmeyer	Newman	Utke
Clausen	Goggin	Klein	Osmek	Weber
Dahms	Hall	Koran	Pratt	Wiger
Dibble	Hoffman	Lang	Relph	
Draheim	Housley	Limmer	Rosen	

Those who voted in the negative were:

Bakk	Cwodzinski	Hayden	Pappas	Wiklund
Bigham	Eaton	Kent	Rest	
Champion	Franzen	Laine	Torres Ray	
Cohen	Hawj	Little	Westrom	

So the bill, as amended by the Conference Committee, was repassed 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 Orders of Business of Reports of Committees and Second Reading of Senate Bills.

### REPORTS OF COMMITTEES

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

**Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 3262:** A bill for an act relating to local government; authorizing designation of Purple Heart City or a Purple Heart County; proposing coding for new law in Minnesota Statutes, chapter 197.

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

**Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 3469:** A bill for an act relating to transportation; designating a segment of marked County State-Aid Highway 42 in Apple Valley and Rosemount as Warriors Memorial Highway; amending Minnesota Statutes 2016, section 161.14, by adding a subdivision.

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

**Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 3461:** A bill for an act relating to military veterans; recodifying certain GI Bill statutory language; making technical changes; amending Minnesota Statutes 2016, section 197.791, subdivision 6, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 197.791, subdivisions 3, 5.

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

**Senator Gazelka from the Committee on Rules and Administration, to which was referred under Rule 21, together with the committee report thereon,**

**S.F. No. 2632:** A bill for an act relating to solid waste; requiring Pollution Control Agency to certify certain information regarding bonding proposals for solid waste facilities; requiring additional analysis in applications for state assistance for solid waste management projects; amending Minnesota Statutes 2016, section 115A.51.

Reports the same back with the recommendation that the report from the Committee on Environment and Natural Resources Policy and Legacy Finance, shown in the Journal for March 12, 2018, be adopted; that committee recommendation being:

"the bill do pass and be re-referred to the Committee on Capital Investment". Report adopted.

**Senator Gazelka from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 2524:** A bill for an act relating to state government; establishing the Task Force on Charitable Gambling Taxation; appropriating money.

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

**Senator Gazelka from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 2698:** A bill for an act relating to education; establishing the special education legislative working group; requiring legislative appointments; requiring consultation with stakeholders and a report of recommendations.

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 3262, 3461, and 2698 were read the second time.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Senator Koran moved that S.F. No. 3638 be withdrawn from the Committee on Transportation Finance and Policy and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

### **MEMBERS EXCUSED**

Senators Latz and Newton were excused from the Session of today.

### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, March 26, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

