

STATE OF MINNESOTA

# Journal of the Senate

NINETY-FIRST LEGISLATURE

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TWENTY-NINTH DAY

St. Paul, Minnesota, Thursday, March 28, 2019

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, Rev. Dr. Jeremiah Olson.

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

The President declared a quorum present.

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

## REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 2120, 2468, 1586, and 1. The motion prevailed.

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

**S.F. No. 2313:** A bill for an act relating to insurance; making changes to conform with certain model regulations; authorizing rulemaking; amending Minnesota Statutes 2018, sections 60A.1291, subdivisions 1, 15, 18, by adding a subdivision; 60A.51, by adding a subdivision; 60A.52, subdivision 1; 60D.15, by adding subdivisions; 62A.3099, by adding a subdivision; 62A.31, subdivision 1, by adding a subdivision; 62A.315; 62A.316; 62A.3161; 62A.3162; 62A.3163; 62A.3164; 62A.3165; 62A.318, subdivision 17; 62E.07; proposing coding for new law in Minnesota Statutes, chapters 60A; 60D.

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. 2185:** A bill for an act relating to data practices; classifying certain grant application data submitted to the Board of the Arts or to a regional arts council; proposing coding for new law in Minnesota Statutes, chapters 13; 129D.

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 2018, section 13.599, is amended by adding a subdivision to read:

Subd. 5. **State Arts Board.** Notwithstanding subdivision 3, responses submitted by a grantee to the State Arts Board or to a regional arts council under chapter 129D become public data at the public review meeting at which they are considered, except for trade secret data as defined and classified in section 13.37."

Delete the title and insert:

"A bill for an act relating to data practices; modifying data classification for grant applications to the State Arts Board; amending Minnesota Statutes 2018, section 13.599, by adding a subdivision."

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

**S.F. No. 2120:** A bill for an act relating to public safety; authorizing employees of a correctional facility to administer opiate antagonists; amending Minnesota Statutes 2018, section 151.37, subdivision 12.

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

Page 1, line 15, delete "employees of a correctional facility" and insert "correctional employees of a state or local political subdivision"

Page 2, after line 4, insert:

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

Amend the title as follows:

Page 1, line 2, before "employees" insert "certain correctional" and delete "of a correctional facility"

And when so amended the bill do pass.

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

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

**S.F. No. 2468:** A bill for an act relating to public safety; amending various provisions related to predatory offender registration; modifying provisions governing the Statewide Emergency Communication Board; modifying requirements for wheelchair securement devices; amending Minnesota Statutes 2018, sections 171.07, subdivision 1a; 243.166, subdivisions 1a, 1b, 2, 4, 4a, 4c, 5, 6, 7, 7a, by adding a subdivision; 299A.12, subdivisions 1, 2, 3; 299A.13; 299A.14, subdivision 3; 299C.093; 403.21, subdivision 7a; 403.36, subdivisions 1, 1b, 1c, 1d; 403.37, subdivision 12; 403.382, subdivisions 1, 8; repealing Minnesota Statutes 2018, sections 299A.12, subdivision 4; 299A.18.

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

Page 1, delete article 1

Page 16, line 7, strike everything after "to"

Page 16, strike lines 8 and 9 and insert "coordinate the statewide 911 system, the statewide land mobile radio system Allied Radio Matrix for Emergency Response known as ARMER, the statewide wireless broadband program, and the Integrated Public Alert and Warning System known as IPAWS."

Page 16, line 29 strike everything after "the"

Page 16, line 30, strike everything before "Minnesota"

Page 17, line 2, strike everything after "the"

Page 17, line 3, strike everything before "Minnesota"

Page 17, line 6, strike everything before the second "the"

Renumber the articles in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete "registration;"

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.

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

**Senator Westrom from the Committee on Agriculture, Rural Development, and Housing Finance, to which was re-referred**

**S.F. No. 1644:** A bill for an act relating to housing; modifying requirement for economic and housing challenge grants; modifying the Minnesota Bond Allocation Act relating to housing bonds; amending Minnesota Statutes 2018, sections 462A.33, subdivision 1, by adding a subdivision; 474A.02, by adding subdivisions; 474A.061, subdivisions 1, 2a, by adding a subdivision; 474A.091, subdivisions 2, 3.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2018, section 462A.22, subdivision 9, is amended to read:

Subd. 9. **Biennial report.** The agency shall also submit a biennial report of its activities and receipts, and a plan for the next biennium, to the governor and the legislature on or before February 15 in each odd-numbered year. The report shall include: (1) the distribution of money under each agency program by county, except for counties containing a city of the first class, where the distribution shall be reported by municipality; and (2) the cost per unit of housing and the cost per square foot of housing financed under each agency program.

In addition, the report shall include the cost to the agency of the issuance of its bonds for each issue in the biennium, along with comparable information for other state housing finance agencies.

Sec. 2. Minnesota Statutes 2018, section 462A.33, subdivision 1, is amended to read:

Subdivision 1. **Created.** The economic development and housing challenge program is created to be administered by the agency. Notwithstanding section 462A.24, this section shall be construed based on the specific language within this section and within an appropriation pursuant to this section.

(a) The program shall provide grants or loans for the purpose of construction, acquisition, rehabilitation, demolition or removal of existing structures, construction financing, permanent financing, interest rate reduction, refinancing, and gap financing of housing to support economic development and redevelopment activities or job creation or job preservation within a community or region by meeting locally identified housing needs. "Locally identified housing needs" means housing for the area work force supported by the local municipality, housing redevelopment authority, economic development authority, or other political subdivision responsible for housing.

Gap financing is either:

(1) the difference between the costs of the property, including acquisition, demolition, rehabilitation, and construction, and the market value of the property upon sale; or

(2) the difference between the cost of the property and the amount the targeted household can afford for housing, based on industry standards and practices.

(b) Preference for grants and loans shall be given to comparable proposals that include regulatory changes or waivers that result in identifiable cost avoidance or cost reductions, such as increased density, flexibility in site development standards, or zoning code requirements. Preference must also be given among comparable proposals to proposals for projects that are accessible to transportation systems, jobs, schools, and other services.

(c) If a grant or loan is used for demolition or removal of existing structures, the cleared land must be used for the construction of housing to be owned or rented by persons who meet the income limits of this section or for other housing-related purposes that primarily benefit the persons residing in the adjacent housing. In making selections for grants or loans for projects that demolish affordable housing units, the agency must review the potential displacement of residents and consider the extent to which displacement of residents is minimized."

Page 2, delete section 2 and insert:

"Sec. 3. Minnesota Statutes 2018, section 462A.33, subdivision 3, is amended to read:

Subd. 3. **Contribution requirement.** Fifty percent of the funds appropriated for this section must be used for challenge grants or loans for housing proposals with financial or in-kind contributions from nonstate resources that reduce the need for deferred loan or grant funds from state resources. Challenge grants or loans must be used for economically viable homeownership or rental housing proposals that address the housing needs of the local work force. "Housing needs of the local work force" means one or more businesses located in the project area or within 25 miles of the area that employs a minimum of 20 full-time equivalent employees in aggregate and have provided a written statement to the local housing authority indicating that the lack of available housing has impeded their ability to recruit and hire employees.

Among comparable proposals, preference must be given to proposals that include contributions from nonstate resources for the greatest portion of the total development cost. Comparable proposals with contributions from local units of government or private philanthropic, religious, or charitable organizations must be given preference in awarding grants or loans.

For the purpose of this subdivision, a contribution may consist partially or wholly of the premium paid for federal housing tax credits."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 1586:** A bill for an act relating to state government; creating a Department of Direct Care and Treatment and Office of Inspector General; transferring duties from the Department of Human Services and other state agencies to the new state agency and office; requiring reports; amending Minnesota Statutes 2018, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; proposing coding for new law as Minnesota Statutes, chapters 245I; 246C.

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

Page 1, delete article 1

Renumber the articles in sequence

Amend the title as follows:

Page 1, line 2, delete everything after "state government" and insert "; creating an Office of Inspector General; transferring duties from the Department of Human Services and other state agencies to the new state office; requiring reports"

Page 1, delete lines 3 and 4

Page 1, line 5, delete "reports"

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.

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

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

**S.F. No. 89:** A bill for an act relating to human services; modifying school-linked mental health services grants; appropriating money; amending Minnesota Statutes 2018, section 245.4889, subdivision 1, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on E-12 Finance and Policy. Report adopted.

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

**S.F. No. 1259:** A bill for an act relating to human services; increasing the medical assistance reimbursement rate for critical access mental health services provided by certain providers; amending Minnesota Statutes 2018, section 256B.763.

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

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

**S.F. No. 1:** A bill for an act relating to human services; establishing mental health grants; appropriating money; amending Minnesota Statutes 2018, sections 145.908, subdivisions 1, 2; 245.4889, subdivision 1, 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 2018, section 62A.15, is amended by adding a subdivision to read:

Subd. 3c. **Mental health services.** (a) All benefits provided by a policy or contract referred to in subdivision 1 relating to expenses incurred for mental health treatment or services provided by a mental health professional must also include treatment and services provided by a clinical trainee to the extent that the services and treatment are within the scope of practice of the clinical trainee according to Minnesota Rules, part 9505.0371, subpart 5, item C.

(b) This subdivision provides for equal payment of benefits for mental health treatment and services provided by a mental health professional, as defined in Minnesota Rules, part 9505.0371, subpart 5, item A, or a clinical trainee, but does not change or add to the benefits provided for in those policies or contracts.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to policies and contracts offered, issued, or renewed on or after that date.

Sec. 2. Minnesota Statutes 2018, section 62A.15, subdivision 4, is amended to read:

Subd. 4. **Denial of benefits.** (a) No carrier referred to in subdivision 1 may, in the payment of claims to employees in this state, deny benefits payable for services covered by the policy or contract if the services are lawfully performed by a licensed chiropractor, licensed optometrist, a registered nurse meeting the requirements of subdivision 3a, or a licensed acupuncture practitioner.

(b) When carriers referred to in subdivision 1 make claim determinations concerning the appropriateness, quality, or utilization of chiropractic health care for Minnesotans, any of these determinations that are made by health care professionals must be made by, or under the direction of, or subject to the review of licensed doctors of chiropractic.

(c) When a carrier referred to in subdivision 1 makes a denial of payment claim determination concerning the appropriateness, quality, or utilization of acupuncture services for individuals in this state performed by a licensed acupuncture practitioner, a denial of payment claim determination that is made by a health professional must be made by, under the direction of, or subject to the review of a licensed acupuncture practitioner.

(d) When a carrier referred to in subdivision 1 makes a denial of payment claim determination concerning the appropriateness, quality, or utilization of mental health services for individuals in this state performed by a licensed mental health professional or clinical trainee, a denial of payment claim determination that is made by a health professional must be made by, under the direction of, or subject to the review of a licensed mental health professional.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to policies and contracts offered, issued, or renewed on or after that date.

Sec. 3. Minnesota Statutes 2018, section 136F.20, is amended by adding a subdivision to read:

Subd. 3. **Mental health services and health insurance information.** (a) The board must contract with one or more independent mental health organizations to provide mental health care, including by use of telemedicine, on campus at up to five state colleges. To be eligible to apply for the program, the state college must employ one or more faculty counselors. These grants are designed to build on the current support provided by faculty counselors and are not a replacement for them. Mental health services must be provided without charge to students who are uninsured, who have high co-payments, or whose health insurance does not cover the service provided. A memorandum of understanding shall be developed between the college and the mental health organization outlining the use of space on campus, how the students will be notified of the service, how they will collaborate with faculty counselors, the provision of services, and other items.

(b) A mental health organization providing mental health care under paragraph (a) must also provide information and guidance to students seeking health insurance.

Sec. 4. **[137.131] MENTAL HEALTH SERVICES AND HEALTH INSURANCE INFORMATION.**

(a) The board must contract with one or more independent mental health organizations to provide mental health care, including by use of telemedicine, on campus at up to five universities. To be eligible to apply for the program, the university must employ one or more faculty counselors. These grants are designed to build on the current support provided by faculty counselors and are not a replacement for them. Mental health services must be provided without charge to students who are uninsured, who have high co-payments, or whose health insurance does not cover the service provided. A memorandum of understanding shall be developed between the university and the mental health organization outlining the use of space on campus, how the students will be notified of the service, how they will collaborate with faculty counselors, the provision of services, and other items.

(b) A mental health organization providing mental health care under paragraph (a) must also provide information and guidance to students seeking health insurance.

Sec. 5. Minnesota Statutes 2018, section 145.908, subdivision 1, is amended to read:

Subdivision 1. **Grant program established.** Within the limits of ~~federal funds~~ specifically appropriations available for this purpose, the commissioner of health shall establish a grant program to provide culturally competent programs to screen and treat pregnant women and women who have given birth in the preceding 12 months for pre- and postpartum mood and anxiety disorders. Organizations may use grant funds to establish new screening or treatment programs, or expand or



maintain existing screening or treatment programs. In establishing the grant program, the commissioner shall prioritize expanding or enhancing screening for pre- and postpartum mood and anxiety disorders in primary care settings. The commissioner shall determine the types of organizations eligible for grants.

Sec. 6. Minnesota Statutes 2018, section 145.908, subdivision 2, is amended to read:

Subd. 2. **Allowable uses of funds.** Grant funds awarded by the commissioner under this section:

(1) must be used to provide health care providers with appropriate training and relevant resources on screening, treatment, follow-up support, and links to community-based resources for pre- and postpartum mood and anxiety disorders, and grants for mental health treatment services for women suffering from mood and anxiety disorders; and

(2) may be used to:

(i) enable health care providers to provide or receive psychiatric consultations to treat eligible women for pre- and postpartum mood and anxiety disorders;

(ii) conduct a public awareness campaign;

(iii) fund start-up costs for telephone lines, websites, and other resources to collect and disseminate information about screening and treatment for pre- and postpartum mood and anxiety disorders; or

(iv) establish connections between community-based resources.

**Sec. 7. [145.9275] VOICE RESPONSE SUICIDE PREVENTION, CRISIS CONNECTION, AND REFERRAL PROGRAM.**

(a) The commissioner of health shall award grants to eligible nonprofit organizations and counties for the purposes of maximizing resources to provide access to crisis services across the state and educating communities on how to access local resources and suicide lifelines.

(b) A grantee must use the grant funds to:

(1) provide a method of response that triages inquiries and provides immediate access to suicide prevention and crisis counseling over the telephone;

(2) connect individuals with trained crisis counselors and local resources, including referrals to community mental health options, emergency departments, and locally available mobile crisis teams, when appropriate; or

(3) host an accredited suicide lifeline.

**Sec. 8. [245.4663] OFFICER-INVOLVED COMMUNITY-BASED CARE COORDINATION GRANT PROGRAM.**

Subdivision 1. Establishment and authority. (a) The commissioner shall make grants to programs that provide officer-involved community-based care coordination services under section

256B.0625, subdivision 56a. The commissioner shall balance awarding grants to counties outside the metropolitan area and counties inside the metropolitan area.

(b) The commissioner shall provide outreach, technical assistance, and program development support to increase capacity of new and existing officer-involved community-based care coordination programs, particularly in areas where officer-involved community-based care coordination programs have not been established, especially in greater Minnesota.

(c) Funds appropriated for this section must be expended on activities described under subdivision 3, technical assistance, and capacity building, including the capacity to maximize revenue by billing services to available third-party reimbursement sources, in order to meet the greatest need on a statewide basis.

Subd. 2. **Eligibility.** An eligible applicant for an officer-involved community-based care coordination grant under subdivision 1, paragraph (a), is a county or tribe that operates or is prepared to implement an officer-involved community-based care coordination program.

Subd. 3. **Allowable grant activities.** Grant recipients may use grant funds for the costs of providing officer-involved community-based care coordination services that are not otherwise covered under section 256B.0625, subdivision 56a, and for the cost of services for individuals not eligible for medical assistance.

Subd. 4. **Evaluation.** Grants under this section shall be formally evaluated by the commissioner of management and budget using an experimental or quasi-experimental design. The commissioner shall consult with the commissioner of management and budget to ensure that grants are administered to facilitate the evaluation. Grant recipients must collect and provide to the commissioner information needed to complete the evaluation. The commissioner must provide to the commissioner of management and budget the information collected for the evaluation. The commissioner of management and budget, under section 15.08, may obtain additional relevant data to support the evaluation study.

Subd. 5. **Reporting.** (a) The commissioner shall report annually on the use of officer-involved community-based care coordination grants to the legislative committees with jurisdiction over human services by December 31, beginning in 2020. Each report shall include the name and location of the grant recipients, the amount of each grant, the services provided or planning activities conducted, and the number of individuals receiving services. The commissioner shall determine the form required for the reports and may specify additional reporting requirements.

(b) The reporting requirements under this subdivision are in addition to the reporting requirements under section 256B.0625, subdivision 56a, paragraph (e).

Sec. 9. Minnesota Statutes 2018, section 245.4889, subdivision 1, is amended to read:

Subdivision 1. **Establishment and authority.** (a) The commissioner is authorized to make grants from available appropriations to assist:

(1) counties;

(2) Indian tribes;

(3) children's collaboratives under section 124D.23 or 245.493; or

(4) mental health service providers.

(b) The following services are eligible for grants under this section:

(1) services to children with emotional disturbances as defined in section 245.4871, subdivision 15, and their families;

(2) transition services under section 245.4875, subdivision 8, for young adults under age 21 and their families;

(3) respite care services for children with severe emotional disturbances who are at risk of out-of-home placement;

(4) children's mental health crisis services;

(5) mental health services for people from cultural and ethnic minorities;

(6) children's mental health screening and follow-up diagnostic assessment and treatment;

(7) services to promote and develop the capacity of providers to use evidence-based practices in providing children's mental health services;

(8) school-linked mental health services, ~~including transportation for children receiving school-linked mental health services when school is not in session~~ under section 245.4901;

(9) building evidence-based mental health intervention capacity for children birth to age five;

(10) suicide prevention and counseling services that use text messaging statewide;

(11) mental health first aid training;

(12) training for parents, collaborative partners, and mental health providers on the impact of adverse childhood experiences and trauma and development of an interactive website to share information and strategies to promote resilience and prevent trauma;

(13) transition age services to develop or expand mental health treatment and supports for adolescents and young adults 26 years of age or younger;

(14) early childhood mental health consultation;

(15) evidence-based interventions for youth at risk of developing or experiencing a first episode of psychosis, and a public awareness campaign on the signs and symptoms of psychosis;

(16) psychiatric consultation for primary care practitioners; and

(17) providers to begin operations and meet program requirements when establishing a new children's mental health program. These may be start-up grants.

(c) Services under paragraph (b) must be designed to help each child to function and remain with the child's family in the community and delivered consistent with the child's treatment plan. Transition services to eligible young adults under this paragraph must be designed to foster independent living in the community.

(d) As a condition of receiving grant funds, a grantee shall obtain all available third-party reimbursement sources, if applicable.

Sec. 10. **[245.4901] SCHOOL-LINKED MENTAL HEALTH GRANTS.**

Subdivision 1. **Establishment.** The commissioner of human services shall establish a school-linked mental health grant program to provide early identification and intervention for students with mental health needs and to build the capacity of schools to support students with mental health needs in the classroom.

Subd. 2. **Eligible applicants.** An eligible applicant for school-linked mental health grants is an entity that is:

(1) certified under Minnesota Rules, parts 9520.0750 to 9520.0870;

(2) a community mental health center under section 256B.0625, subdivision 5;

(3) an Indian health service facility or a facility owned and operated by a tribe or tribal organization operating under United States Code, title 25, section 5321;

(4) a provider of children's therapeutic services and supports as defined in section 256B.0943;  
or

(5) enrolled in medical assistance as a mental health or substance use disorder provider agency and employs at least two full-time equivalent mental health professionals as defined in section 245.4871, subdivision 27, clauses (1) to (6), or two alcohol and drug counselors licensed or exempt from licensure under chapter 148F who are qualified to provide clinical services to children and families.

Subd. 3. **Allowable grant activities and related expenses.** (a) Allowable grant activities and related expenses may include but are not limited to:

(1) identifying and diagnosing mental health conditions of students;

(2) delivering mental health treatment and services to students and their families, including via telemedicine consistent with section 256B.0625, subdivision 3b;

(3) supporting families in meeting their child's needs, including navigating health care, social service, and juvenile justice systems;

(4) providing transportation for students receiving school-linked mental health services when school is not in session;

(5) building the capacity of schools to meet the needs of students with mental health concerns, including school staff development activities for licensed and nonlicensed staff; and

(6) purchasing equipment, connection charges, on-site coordination, set-up fees, and site fees in order to deliver school-linked mental health services via telemedicine.

(b) Grantees shall obtain all available third-party reimbursement sources as a condition of receiving a grant. For purposes of this grant program, a third-party reimbursement source excludes a public school as defined in section 120A.20, subdivision 1. Grantees shall serve students regardless of health coverage status or ability to pay.

Subd. 4. **Data collection and outcome measurement.** Grantees shall provide data to the commissioner for the purpose of evaluating the effectiveness of the school-linked mental health grant program.

Subd. 5. **Specialized grants.** (a) Specialized grants must be made available to eligible applicants under subdivision 2, serving a public school program that provides instruction to students in a setting of federal instructional level 4 or higher. Specialized grants must first be awarded to providers working in conjunction with school programs that received a grant under Laws 2016, chapter 189, article 25, section 62, subdivision 2, and Laws 2017, First Special Session chapter 5, article 2, section 56. Additional specialized grants may be made available to eligible applicants under subdivision 2, who cooperate with programs operated by:

(1) a school district or charter school; or

(2) a special education cooperative or other cooperative unit under section 123A.24, subdivision 2.

(b) In addition to allowable grant expenses under subdivision 3, grant funds awarded under this subdivision may be used to develop innovative therapeutic teaching models.

Sec. 11. Minnesota Statutes 2018, section 256B.0625, subdivision 56a, is amended to read:

Subd. 56a. ~~Post-arrest~~ Officer-involved community-based service care coordination. (a) Medical assistance covers ~~post-arrest~~ officer-involved community-based service care coordination for an individual who:

(1) has ~~been identified as having~~ screened positive for benefiting from treatment for a mental illness or substance use disorder using a ~~screening~~ tool approved by the commissioner;

(2) does not require the security of a public detention facility and is not considered an inmate of a public institution as defined in Code of Federal Regulations, title 42, section 435.1010;

(3) meets the eligibility requirements in section 256B.056; and

(4) has agreed to participate in ~~post-arrest~~ officer-involved community-based service care coordination ~~through a diversion contract in lieu of incarceration.~~

(b) ~~Post-arrest~~ Officer-involved community-based service care coordination means navigating services to address a client's mental health, chemical health, social, economic, and housing needs, or any other activity targeted at reducing the incidence of jail utilization and connecting individuals with existing covered services available to them, including, but not limited to, targeted case management, waiver case management, or care coordination.

(c) ~~Post-arrest~~ Officer-involved community-based ~~service care~~ care coordination must be provided by an individual who is an employee of ~~a county~~ or is under contract with a county, ~~or is an employee of or under contract with an Indian health service facility or facility owned and operated by a tribe or a tribal organization operating under Public Law 93-638 as a 638 facility to provide post-arrest officer-involved~~ community-based care coordination and is qualified under one of the following criteria:

(1) a licensed mental health professional as defined in section 245.462, subdivision 18, clauses (1) to (6);

(2) a mental health practitioner as defined in section 245.462, subdivision 17, working under the clinical supervision of a mental health professional; ~~or~~

(3) a certified peer specialist under section 256B.0615, working under the clinical supervision of a mental health professional; ~~;~~

(4) an individual qualified as an alcohol and drug counselor under section 245G.11, subdivision 5; or

(5) a recovery peer qualified under section 245G.11, subdivision 8, working under the supervision of an individual qualified as an alcohol and drug counselor under section 245G.11, subdivision 5.

(d) Reimbursement is allowed for up to 60 days following the initial determination of eligibility.

(e) Providers of ~~post-arrest~~ officer-involved community-based ~~service care~~ care coordination shall annually report to the commissioner on the number of individuals served, and number of the community-based services that were accessed by recipients. The commissioner shall ensure that services and payments provided under ~~post-arrest~~ officer-involved community-based ~~service care~~ care coordination do not duplicate services or payments provided under section 256B.0625, subdivision 20, 256B.0753, 256B.0755, or 256B.0757.

~~(f) Notwithstanding section 256B.19, subdivision 1, the nonfederal share of cost for post-arrest community-based service coordination services shall be provided by the county providing the services, from sources other than federal funds or funds used to match other federal funds.~~

Sec. 12. Minnesota Statutes 2018, section 256K.45, subdivision 2, is amended to read:

Subd. 2. **Homeless youth report.** The commissioner shall prepare a biennial report, beginning in February 2015, which provides meaningful information to the legislative committees having jurisdiction over the issue of homeless youth, that includes, but is not limited to: (1) a list of the areas of the state with the greatest need for services and housing for homeless youth, and the level and nature of the needs identified; (2) details about grants made, including shelter-linked youth mental health grants under section 256K.46; (3) the distribution of funds throughout the state based on population need; (4) follow-up information, if available, on the status of homeless youth and whether they have stable housing two years after services are provided; and (5) any other outcomes for populations served to determine the effectiveness of the programs and use of funding.

Sec. 13. [256K.46] SHELTER-LINKED YOUTH MENTAL HEALTH GRANT PROGRAM.

Subdivision 1. **Establishment and authority.** (a) The commissioner shall make grants to provide mental health services to homeless or sexually exploited youth. To be eligible, housing providers must partner with community-based mental health practitioners to provide a continuum of mental health services, including short-term crisis response, support for youth in longer-term housing settings, and ongoing relationships to support youth in other housing arrangements in the community for homeless or sexually exploited youth.

(b) The commissioner shall consult with the commissioner of management and budget to identify evidence-based mental health services for youth and give priority in awarding grants to proposals that include evidence-based mental health services for youth.

(c) The commissioner may make two-year grants under this section.

(d) Money appropriated for this section must be expended on activities described under subdivision 4, technical assistance, and capacity building to meet the greatest need on a statewide basis. The commissioner shall provide outreach, technical assistance, and program development support to increase capacity of new and existing service providers to better meet needs statewide, particularly in areas where shelter-linked youth mental health services have not been established, especially in greater Minnesota.

Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of human services, unless otherwise indicated.

(c) "Housing provider" means a shelter, housing program, or other entity providing services under the Homeless Youth Act in section 256K.45 and the Safe Harbor for Sexually Exploited Youth Act in section 145.4716.

(d) "Mental health practitioner" has the meaning given in section 245.462, subdivision 17.

(e) "Youth" has the meanings given for "homeless youth," "youth at risk for homelessness," and "runaway" in section 256K.45, subdivision 1a, "sexually exploited youth" in section 260C.007, subdivision 31, and "youth eligible for services" in section 145.4716, subdivision 3.

Subd. 3. **Eligibility.** An eligible applicant for shelter-linked youth mental health grants under subdivision 1 is a housing provider that:

(1) demonstrates that the provider received targeted trauma training focused on sexual exploitation and adolescent experiences of homelessness; and

(2) partners with a community-based mental health practitioner who has demonstrated experience or access to training regarding adolescent development and trauma-informed responses.

Subd. 4. **Allowable grant activities.** (a) Grant recipients may conduct the following activities with community-based mental health practitioners:

(1) develop programming to prepare youth to receive mental health services;

(2) provide on-site mental health services, including group skills and therapy sessions. Grant recipients are encouraged to use evidence-based mental health services;

(3) provide mental health case management, as defined in section 256B.0625, subdivision 20; and

(4) consult, train, and educate housing provider staff regarding mental health. Grant recipients are encouraged to provide staff with access to a mental health crisis line 24 hours a day, seven days a week.

(b) Only after promoting and assisting participants with obtaining health insurance coverage for which the participant is eligible, and only after mental health practitioners bill covered services to medical assistance or health plan companies, grant recipients may use grant funds to fill gaps in insurance coverage for mental health services.

(c) Grant funds may be used for purchasing equipment, connection charges, on-site coordination, set-up fees, and site fees to deliver shelter-linked youth mental health services defined in this subdivision via telemedicine consistent with section 256B.0625, subdivision 3b.

Subd. 5. **Reporting.** Grant recipients shall report annually on the use of shelter-linked youth mental health grants to the commissioner by December 31, beginning in 2020. Each report shall include the name and location of the grant recipient, the amount of each grant, the youth mental health services provided, and the number of youth receiving services. The commissioner shall determine the form required for the reports and may specify additional reporting requirements. The commissioner shall include the shelter-linked youth mental health services program in the biennial report required under section 256K.45, subdivision 2.

Sec. 14. **DIRECTION TO COMMISSIONER; IMPROVING SCHOOL-LINKED MENTAL HEALTH GRANT PROGRAM.**

(a) The commissioner of human services, in collaboration with the commissioner of education, representatives from the education community, mental health providers, and advocates, shall assess the school-linked mental health grant program under Minnesota Statutes, section 245.4901, and develop recommendations for improvements. The assessment must include but is not limited to the following:

(1) promoting stability among current grantees and school partners;

(2) assessing the minimum number of full-time equivalents needed per school site to effectively carry out the program;

(3) developing a funding formula that promotes sustainability and consistency across grant cycles;

(4) reviewing current data collection and evaluation; and

(5) analyzing the impact on outcomes when a school has a school-linked mental health program, a multi-tier system of supports, and sufficient school support personnel to meet the needs of students.

(b) The commissioner shall provide a report of the findings of the assessment and recommendations, including any necessary statutory changes, to the legislative committees with jurisdiction over mental health and education by January 15, 2020.



Sec. 15. **OFFICER-INVOLVED COMMUNITY-BASED CARE COORDINATION; PLANNING GRANTS.**

In fiscal year 2020, the commissioner shall make up to ten planning grants of up to \$10,000 available to counties and tribes to establish new officer-involved community-based care coordination programs. An eligible applicant for a planning grant under this section is a county or tribe that does not have a fully functioning officer-involved community-based care coordination program and has not yet taken steps to implement an officer-involved community-based care coordination program. Planning grant recipients may use grant funds for the start-up costs of a new officer-involved community-based care coordination program, including data platform design, data collection, and quarterly reporting.

Sec. 16. **COMMUNITY COMPETENCY RESTORATION TASK FORCE.**

Subdivision 1. **Establishment; purpose.** The Community Competency Restoration Task Force is established to evaluate and study community competency restoration programs and develop recommendations to address the needs of individuals deemed incompetent to stand trial.

Subd. 2. **Membership.** (a) The Community Competency Restoration Task Force consists of the following members, appointed as follows:

- (1) a representative appointed by the governor's office;
- (2) the commissioner of human services or designee;
- (3) the commissioner of corrections or designee;
- (4) a representative from direct care and treatment services with experience in competency evaluations, appointed by the commissioner of human services;
- (5) a representative appointed by the designated State Protection and Advocacy system;
- (6) the ombudsman for mental health and developmental disabilities;
- (7) a representative appointed by the Minnesota Hospital Association;
- (8) a representative appointed by the Association of Minnesota Counties;
- (9) two representatives appointed by the Minnesota Association of County Social Service Administrators: one from the seven-county metropolitan area, as defined under Minnesota Statutes, section 473.121, subdivision 2, and one from outside the seven-county metropolitan area;
- (10) a representative appointed by the Board of Public Defense;
- (11) a representative appointed by the Minnesota County Attorney Association;
- (12) a representative appointed by the Chiefs of Police;
- (13) a representative appointed by the Minnesota Psychiatric Society;
- (14) a representative appointed by the Minnesota Psychological Association;

(15) a representative appointed by the State Court Administrator;

(16) a representative appointed by the Minnesota Association of Community Mental Health Programs;

(17) a representative appointed by the Minnesota Sheriff's Association;

(18) a representative appointed by the Sentencing Commission;

(19) a jail administrator appointed by the commissioner of corrections;

(20) a representative from an organization providing reentry services appointed by the commissioner of corrections;

(21) a representative from a mental health advocacy organization appointed by the commissioner of human services;

(22) a person with direct experience with competency restoration appointed by the commissioner of human services;

(23) representatives from organizations representing racial and ethnic groups overrepresented in the justice system appointed by the commissioner of corrections; and

(24) a crime victim appointed by the commissioner of corrections.

(b) Appointments to the task force must be made no later than July 15, 2019, and members of the task force may be compensated as provided under Minnesota Statutes, section 15.059, subdivision 3.

Subd. 3. **Duties.** The task force must:

(1) identify current services and resources available for individuals in the criminal justice system who have been found incompetent to stand trial;

(2) analyze current trends of competency referrals by county and the impact of any diversion projects or stepping-up initiatives;

(3) analyze selected case reviews and other data to identify risk levels of those individuals, service usage, housing status, and health insurance status prior to being jailed;

(4) research how other states address this issue, including funding and structure of community competency restoration programs, and jail-based programs; and

(5) develop recommendations to address the growing number of individuals deemed incompetent to stand trial including increasing prevention and diversion efforts, providing a timely process for reducing the amount of time individuals remain in the criminal justice system, determining how to provide and fund competency restoration services in the community, and defining the role of the counties and state in providing competency restoration.

Subd. 4. **Officers; meetings.** (a) The commissioner of human services shall convene the first meeting of the task force no later than August 1, 2019.

(b) The task force must elect a chair and vice-chair from among its members and may elect other officers as necessary.

(c) The task force is subject to the Minnesota Open Meeting Law under Minnesota Statutes, chapter 13D.

Subd. 5. **Staff.** (a) The commissioner of human services must provide staff assistance to support the task force's work.

(b) The task force may utilize the expertise of the Council of State Governments Justice Center.

Subd. 6. **Report required.** (a) By February 1, 2020, the task force shall submit a report on its progress and findings to the chairs and ranking minority members of the legislative committees with jurisdiction over mental health and corrections.

(b) By February 1, 2021, the task force must submit a written report including recommendations to address the growing number of individuals deemed incompetent to stand trial to the chairs and ranking minority members of the legislative committees with jurisdiction over mental health and corrections.

Subd. 7. **Expiration.** The task force expires upon submission of the report in subdivision 6, paragraph (b), or February 1, 2021, whichever is later.

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

Sec. 17. **CANCELLATION; AGRICULTURAL GROWTH, RESEARCH, AND INNOVATION PROGRAM.**

Of the amount appropriated in fiscal year 2019 to the commissioner of agriculture for the agricultural growth, research, and innovation program for incentive payments in Laws 2017, chapter 88, article 1, section 2, subdivision 4, paragraph (b), clause (2), \$70,000 is canceled to the general fund.

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

Sec. 18. **APPROPRIATION; AGRICULTURAL MENTAL HEALTH SERVICES.**

(a) \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of agriculture for the following purposes:

(1) \$..... is for transfer to the Board of Trustees of the Minnesota State Colleges and Universities to provide additional statewide mental health counseling support to farm families and business operators through the Minnesota State Agricultural Centers of Excellence. South Central College and Central Lakes College shall serve as the fiscal agents; and

(2) \$..... is for coordinating public information, farmer mental health marketing, training coordination, outreach activities, and engaging farm groups and other agriculture organizations to reduce the stigma of stress, anxiety, and other mental health challenges.

(b) This is a onetime appropriation and is available until June 30, 2023.

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

**Sec. 19. APPROPRIATION; STUDENT MENTAL HEALTH SERVICES, MINNESOTA STATE COLLEGES AND UNIVERSITIES.**

\$..... in fiscal year 2020 is appropriated from the general fund to the Board of Trustees of the Minnesota State Colleges and Universities for the mental health services for students required under Minnesota Statutes, section 136F.20, subdivision 3. This is a onetime appropriation and is available until June 30, 2023.

**Sec. 20. APPROPRIATION; STUDENT MENTAL HEALTH SERVICES, UNIVERSITY OF MINNESOTA SYSTEM.**

\$..... in fiscal year 2020 is appropriated from the general fund to the Board of Regents at the University of Minnesota for the mental health services for students required under Minnesota Statutes, section 137.131. This is a onetime appropriation and is available until June 30, 2023.

**Sec. 21. APPROPRIATION; MINNESOTA C.O.R.E. PROGRAM.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of veterans affairs for mental health services in the Minnesota C.O.R.E. program. This is a onetime appropriation.

**EFFECTIVE DATE.** This section is effective July 1, 2019.

**Sec. 22. APPROPRIATION; PRE- AND POST-PARTUM SCREENING.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of health for grants for mental health services under Minnesota Statutes, section 145.908. This is a onetime appropriation and is available until June 30, 2023.

**EFFECTIVE DATE.** This section is effective July 1, 2019.

**Sec. 23. APPROPRIATION; VOICE RESPONSE SUICIDE PREVENTION, CRISIS CONNECTION, AND REFERRAL PROGRAM.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of health for a voice response suicide prevention, crisis connection, and referral program described in Minnesota Statutes, section 145.9275. This is a onetime appropriation and is available until June 30, 2023.

**Sec. 24. APPROPRIATION; HEALTH PROFESSIONAL EDUCATION LOAN FORGIVENESS, RURAL MENTAL HEALTH.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of health for transfer to the health professional education loan forgiveness program account for loan forgiveness

for students or professionals providing rural mental health services under Minnesota Statutes, section 144.1501, subdivision 2, paragraph (a), clause (1). This is a onetime appropriation and is available until June 30, 2023.

Sec. 25. **APPROPRIATIONS; BRIDGES RENTAL ASSISTANCE.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of the Housing Finance Agency for the rental housing assistance program for persons with a mental illness or families with an adult member with a mental illness under Minnesota Statutes, section 462A.2097. This is a onetime appropriation and is available until June 30, 2023.

Sec. 26. **APPROPRIATION; LANDLORD RISK MITIGATION FUND.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of the Housing Finance Agency for grants to eligible applicants to create or expand risk mitigation programs to reduce financial risks for landlords renting to persons eligible under Minnesota Statutes, sections 245.4661, subdivision 9, paragraph (a), clause (2), 462A.204, and 462A.2097. Eligible programs may reimburse landlords for costs including but not limited to nonpayment of rent, or damage costs above those costs covered by security deposits. The agency may give higher priority to applicants that demonstrate a matching amount of money by a local unit of government, business, or nonprofit organization. Grantees must establish a procedure to review and validate claims and reimbursements under this grant program. Eligible grantees include but are not limited to nonprofit organizations under Minnesota Statutes, section 462A.03, subdivision 22, and supportive housing providers under Minnesota Statutes, section 245.4661, subdivision 9, paragraph (a), clause (2). This is a onetime appropriation and is available until June 30, 2023.

Sec. 27. **APPROPRIATION; HOUSING OPTIONS FOR PERSONS WITH SERIOUS MENTAL ILLNESS.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services to provide adult mental health grants under Minnesota Statutes, section 245.4661, subdivision 9, paragraph (a), clause (2), to support increased availability of housing options with supports for persons with serious mental illness. This is a onetime appropriation and is available until June 30, 2023.

Sec. 28. **APPROPRIATION; SHELTER-LINKED YOUTH MENTAL HEALTH GRANTS.**

Subdivision 1. **Shelter-linked youth mental health grants.** \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for shelter-linked youth mental health grants under Minnesota Statutes, section 256K.46. This is a onetime appropriation and is available until June 30, 2023.

Subd. 2. **Grant evaluations.** (a) \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of management and budget to evaluate grant recipients' use of evidence-based mental health services for youth. This is a onetime appropriation and is available until June 30, 2023.

(b) Notwithstanding Minnesota Statutes, section 256K.46, subdivision 1, paragraph (b), in fiscal year 2020 and fiscal year 2021 only, the commissioner of human services may award grants to

applicants proposing services that are theory-based or promising practices. In fiscal year 2020 and fiscal year 2021, the commissioner of management and budget, in consultation with the Department of Human Services, shall conduct program evaluations using experimental or quasi-experimental designs for projects under Minnesota Statutes, section 256K.46, that use theory-based or promising practices. Grant recipients must consult with the commissioner of management and budget and implement the projects to facilitate the program evaluation and collect and report the information needed to complete the program evaluation. The commissioner of management and budget, under Minnesota Statutes, section 15.08, may obtain additional relevant data to support the experimental or quasi-experimental program evaluation.

**EFFECTIVE DATE.** This section is effective July 1, 2019.

Sec. 29. **APPROPRIATIONS; SCHOOL-LINKED MENTAL HEALTH GRANTS.**

(a) \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for school-linked mental health grants under Minnesota Statutes, section 245.4901, subdivisions 1 to 4. This is a onetime appropriation and is available until June 30, 2023.

(b) The appropriation under Minnesota Laws 2017, First Special Session chapter 5, article 2, section 56, is available until June 30, 2023.

Sec. 30. **APPROPRIATION; TELEMEDICINE FOR SCHOOL-LINKED MENTAL HEALTH SERVICES.**

\$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for grants to deliver school-linked mental health services by telemedicine. The grants may be awarded to new or existing providers statewide. The commissioner shall report to the legislative committees with jurisdiction over mental health on the effectiveness of the grants after funds appropriated under this section are expended. This is a onetime appropriation and available until June 30, 2023.

Sec. 31. **APPROPRIATION; OFFICER-INVOLVED COMMUNITY-BASED CARE COORDINATION GRANTS.**

(a) \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for officer-involved community-based care coordination grants under Minnesota Statutes, section 245.4663. At least one grant must be awarded to a county that has operated a fully functional "Yellow Line Project" to provide officer-involved community-based care coordination services since May, 2017. This is a onetime appropriation and is available until June 30, 2023.

(b) \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for up to ten planning grants under section 15. In awarding these grants, the commissioner must place a priority on funding nonmetro programs. \$..... of this appropriation is for a grant to a county that has operated a fully functional "Yellow Line Project" to provide officer-involved community-based care coordination services since May, 2017, to provide technical assistance to other counties or groups of counties to establish new officer-involved community-based care coordination programs. This is a onetime appropriation and is available until June 30, 2023.

**EFFECTIVE DATE.** This section is effective July 1, 2019.

Sec. 32. **APPROPRIATION; COMMUNITY COMPETENCY RESTORATION TASK FORCE.**

§..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services to implement the duties of the Community Competency Restoration Task Force under section 16. This is a onetime appropriation and is available until June 30, 2023.

Sec. 33. **APPROPRIATION; MOBILE MENTAL HEALTH CRISIS RESPONSE TEAM FUNDING.**

§..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for adult mental health grants under Minnesota Statutes, section 245.4661, subdivision 9, paragraph (a), clause (1), to fund regional mobile mental health crisis response teams throughout the state. The commissioner shall ensure that all grantees receive at least the amount they received in 2017. This is a onetime appropriation and is available until June 30, 2023.

Sec. 34. **APPROPRIATION; PROJECT LEGACY.**

§..... in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for a grant to Project Legacy to provide counseling and outreach to youth and young adults from families with a history of generational poverty. Money from this appropriation must be spent for mental health care, medical care, chemical dependency intervention, housing, and mentoring and counseling services for first generation college students. This is a onetime appropriation and is available until June 30, 2023."

Delete the title and insert:

"A bill for an act relating to human services; requiring insurance coverage for treatment and services provided by mental health professionals and clinical trainees; requiring a denial of a claim for mental health services be made or reviewed by a licensed mental health professional; requiring provision of mental health services to college students; directing the commissioner of health to award grants for voice response suicide prevention, crisis connection, and referral activities; establishing the officer-involved community-based care coordination grant program to provide mental health services to individuals arrested by law enforcement; modifying medical assistance coverage for community-based care coordination to include tribes; eliminating county share for cost of officer-involved community-based care coordination; modifying school-linked mental health grants; establishing a shelter-linked youth mental health grant program to provide mental health services to youth experiencing homelessness or sexual exploitation; establishing the Community Competency Restoration Task Force; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 62A.15, subdivision 4, by adding a subdivision; 136F.20, by adding a subdivision; 145.908, subdivisions 1, 2; 245.4889, subdivision 1; 256B.0625, subdivision 56a; 256K.45, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 137; 145; 245; 256K."

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

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

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

**S.F. No. 1039:** A bill for an act relating to energy; amending the renewable development account public utility annual contribution; establishing a net zero emissions project; requiring a report; establishing a process to compensate businesses for loss of business opportunity resulting from sale and closure of a biomass energy plant; appropriating money; amending Minnesota Statutes 2018, section 116C.779, subdivision 1.

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**

**H.F. No. 15:** A bill for an act relating to public safety; eliminating the voluntary relationship defense for criminal sexual conduct crimes; repealing Minnesota Statutes 2018, section 609.349.

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. 2075:** A bill for an act relating to environment; banning trichloroethylene in products and for use in manufacturing processes; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Delete everything after the enacting clause and insert:

"Section 1. **[116.385] TRICHLOROETHYLENE; BAN.**

Subdivision 1. **Definitions.** For the purposes of this section, "trichloroethylene" means a chemical with the Chemical Abstract Services Registry.

Subd. 2. **Use ban.** (a) Beginning January 1, 2021, an owner or operator of a facility required to have an air emissions permit issued by the Pollution Control Agency, may not use trichloroethylene at its permitted facility, including in any manufacturing, processing, or cleaning processes. Cessation of use must be made enforceable in the air emissions permit for the facility or in an enforceable agreement, by January 1, 2021.

(b) If additional time is needed to assess replacement chemicals or address impacts to facility operations, then by January 1, 2021, the commissioner may, at the commissioner's discretion, include a schedule of compliance in the facility's permit or enforceable agreement that requires compliance with this section before January 1, 2023. Owners or operators of facilities requesting additional time under this subdivision must demonstrate compliance with the health based value for trichloroethylene, as established by the Department of Health.

(c) The commissioner may grant a variance under this section pursuant to section 116.07, subdivision 5.



Subd. 3. **Replacement chemicals.** An owner or operator that must comply with this section must replace trichloroethylene with a chemical demonstrated to be less toxic to human health, and approved by the commissioner of the Pollution Control Agency. If there is more than one less-toxic replacement chemical, then the commissioner may require the owner or operator to perform a feasibility study to determine the least toxic alternative.

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

Amend the title numbers accordingly

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

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

S.F. Nos. 2313, 1644, 1039, and 2075 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. No. 15 was read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senator Kiffmeyer introduced--**

**S.F. No. 2726:** A bill for an act relating to the operation of state government; appropriating money for the legislature, the governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, and councils; changing provisions for administrative law judge salaries, revolving loan fund, cemeteries, and MERF; amending Minnesota Statutes 2018, sections 15A.083, subdivision 6a; 16A.28, subdivision 1; 16B.86; 16B.87; 307.08; 353.27, subdivision 3c; 353.505.

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

#### **Senators Tomassoni, Bakk, and Senjem introduced--**

**S.F. No. 2727:** A bill for an act relating to capital investment; appropriating money for a public safety facility in Chisholm; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

#### **Senators Tomassoni, Bakk, and Senjem introduced--**

**S.F. No. 2728:** A bill for an act relating to capital investment; appropriating money for improvements to the Hoyt Lakes Arena; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Senjem introduced--**

**S.F. No. 2729:** A bill for an act relating to energy; modifying solar site management; amending Minnesota Statutes 2018, section 216B.1642.

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

**Senator Howe introduced--**

**S.F. No. 2730:** A bill for an act relating to education finance; modifying the special education funding formula; increasing special education aid; appropriating money; amending Minnesota Statutes 2018, section 125A.76, subdivision 2a.

Referred to the Committee on E-12 Finance and Policy.

**Senator Marty introduced--**

**S.F. No. 2731:** A bill for an act relating to taxation; modifying provisions related to gross revenues taxes, income taxes, and health insurance; providing for an insurance premium credit for individuals and advanced payment of the credit; providing for disclosure of certain taxpayer data; providing an addition for certain deducted health insurance premiums; making changes to taxpayer nexus for the health care provider tax; repealing the sunset of the MinnesotaCare provider taxes; clarifying payment of interest on overpayments; making technical changes; appropriating money; amending Minnesota Statutes 2018, sections 270B.12, by adding a subdivision; 290.0131, by adding a subdivision; 295.51, subdivision 1a; 295.52, subdivision 8; 295.57, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 62V; 290; repealing Laws 2011, First Special Session chapter 9, article 6, section 97, subdivision 6.

Referred to the Committee on Taxes.

**Senator Ruud introduced--**

**S.F. No. 2732:** A bill for an act relating to legacy; appropriating money to maintain dedicated funding website.

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

**Senators Jasinski, Tomassoni, Eichorn, Weber, and Lang introduced--**

**S.F. No. 2733:** A bill for an act relating to transportation; appropriating money for local roads and bridges; authorizing sale and issuance of general obligation bonds.

Referred to the Committee on Transportation Finance and Policy.

**Senators Dibble, Kent, and Hayden introduced--**

**S.F. No. 2734:** A bill for an act relating to transportation; modifying requirements for a noncompliant driver's license or Minnesota identification card and making related changes, including on eligibility, proof of lawful presence, primary and secondary documentation, discrimination, voter

registration, and data practices; making technical changes; appropriating money; amending Minnesota Statutes 2018, sections 13.6905, by adding a subdivision; 171.04, subdivision 5; 171.06, subdivision 3, by adding subdivisions; 171.07, subdivisions 1, 3; 171.12, subdivisions 7a, 9, by adding subdivisions; 201.061, subdivision 3; 363A.28, by adding a subdivision; repealing Minnesota Statutes 2018, section 171.015, subdivision 7.

Referred to the Committee on Transportation Finance and Policy.

**Senator Eichorn introduced--**

**S.F. No. 2735:** A bill for an act relating to education finance; expanding extended time revenue to all students placed at residential treatment facilities providing mental health and juvenile justice services; amending Minnesota Statutes 2018, section 126C.10, subdivision 2a.

Referred to the Committee on E-12 Finance and Policy.

**Senators Carlson, Laine, Kent, and Rest introduced--**

**S.F. No. 2736:** A bill for an act relating to elections; authorizing the opening of additional polling place locations for voting by absentee ballot for fewer than 46 days; amending Minnesota Statutes 2018, section 203B.081, subdivision 1.

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

**Senators Klein, Eaton, Marty, Franzen, and Wiklund introduced--**

**S.F. No. 2737:** A bill for an act relating to health; authorizing health care providers to provide patients with health information and services that are medically accurate, evidence-based, and appropriate for the patient; repealing informed consent requirements before abortions may be performed; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2018, sections 145.4241; 145.4242; 145.4243; 145.4244; 145.4245; 145.4246; 145.4247; 145.4248; 145.4249.

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

**Senators Draheim, Jasinski, Eichorn, Lang, and Johnson introduced--**

**S.F. No. 2738:** A bill for an act relating to human services; providing for public assistance and child care assistance program fraud prevention; establishing penalties for certain theft offenses; modifying eligibility for early learning scholarships; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 13.46, subdivisions 2, 3; 13.461, subdivision 28; 119B.02, subdivision 6, by adding a subdivision; 119B.09, subdivisions 4, 7, 9a; 119B.125, subdivisions 6, 9, by adding subdivisions; 119B.13, subdivisions 6, 7; 124D.142; 124D.165, subdivisions 2, 4, by adding a subdivision; 245.095; 245A.07, subdivisions 2, 2a, 3; 245E.03, subdivision 2; 245E.04; 256.98, subdivision 8, by adding a subdivision; 256.984, subdivision 1; 256B.02, by adding a subdivision; 256B.056, subdivisions 3, 4; 256J.08, subdivision 47; 256J.21, subdivision 2; 256L.01, subdivision 5; 256P.04, subdivision 4; 256P.06, subdivision 3; 609.27,

subdivision 2; 609.48, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 245A; 256; 609; proposing coding for new law as Minnesota Statutes, chapter 245I.

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

**Senators Draheim, Koran, Lang, Simonson, and Johnson introduced--**

**S.F. No. 2739:** A bill for an act relating to telecommunications; amending broadband definitions; amending Minnesota Statutes 2018, section 116J.394.

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

**Senators Koran, Rosen, Westrom, Hoffman, and Eichorn introduced--**

**S.F. No. 2740:** A bill for an act relating to human services; transferring child care assistance program fraud investigation unit from Department of Human Services to Department of Public Safety; amending Minnesota Statutes 2018, sections 245E.01, subdivisions 4, 7; 245E.02, subdivision 4; 245E.03, subdivisions 3, 4; 245E.06, subdivisions 1, 2, 3, 5; 245E.07.

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

### MOTIONS AND RESOLUTIONS

Senator Hall moved that his name be stricken as a co-author to S.F. No. 1606. The motion prevailed.

Senator Eaton moved that the name of Senator Marty be added as a co-author to S.F. No. 1862. The motion prevailed.

Senator Champion moved that the name of Senator Marty be added as a co-author to S.F. No. 1933. The motion prevailed.

Senator Latz moved that the name of Senator Dziejczak be added as a co-author to S.F. No. 2076. The motion prevailed.

Senator Jensen moved that the name of Senator Kiffmeyer be added as a co-author to S.F. No. 2195. The motion prevailed.

Senator Wiklund moved that the names of Senators Latz and Cwodzinski be added as co-authors to S.F. No. 2346. The motion prevailed.

Senator Lang moved that the name of Senator Bigham be added as a co-author to S.F. No. 2438. The motion prevailed.

Senator Housley moved that the name of Senator Pratt be added as a co-author to S.F. No. 2466. The motion prevailed.

Senator Marty moved that the name of Senator Cohen be added as a co-author to S.F. No. 2653. The motion prevailed.

Senator Pratt moved that the name of Senator Marty be added as a co-author to S.F. No. 2655. The motion prevailed.

Senator Klein moved that the name of Senator Bigham be added as a co-author to S.F. No. 2675. The motion prevailed.

Senator Pratt moved that the names of Senators Ruud and Eichorn be added as co-authors to S.F. No. 2722. The motion prevailed.

Senator Eichorn moved that S.F. No. 2562 be withdrawn from the Committee on Environment and Natural Resources Policy and Legacy Finance and re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

S.F. No. 1743 and the Conference Committee Report thereon were reported to the Senate.

### **CONFERENCE COMMITTEE REPORT ON S.F. No. 1743**

A bill for an act relating to education; modifying the calculation of days and hours of instruction for students affected by snow days during the 2018-2019 school year; requiring affected school districts to report to the commissioner.

March 27, 2019

The Honorable Jeremy R. Miller  
President of the Senate

The Honorable Melissa Hortman  
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1743 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. 1743 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **SCHOOL CALENDAR ADJUSTMENT; 2018-2019 SCHOOL YEAR.**

**Subdivision 1. Required school days and hours.** (a) Notwithstanding Minnesota Statutes, sections 120A.32, 120A.41, and 126C.05, the board of a school district or charter school that canceled school on one or more days during the 2018-2019 school year due to health and safety concerns may count those days as instructional days for purposes of calculating the number of hours and days in the school year under Minnesota Statutes, section 120A.41, and the calculation of average daily membership under Minnesota Statutes, section 126C.05, for students enrolled both before and after those school closure dates.

(b) If a school district or charter school would not have met the required minimum number of days and hours of instruction for students without the authority in paragraph (a), the district or charter school must report to the commissioner of education in the form and manner determined by the

commissioner on the number of days and hours that the district counted under paragraph (a) to meet the required days and hours of instruction. A school district that counts a day that school was canceled as an instructional day in accordance with paragraph (a) is encouraged to adopt an e-learning day plan under Minnesota Statutes, section 120A.414.

(c) If a school board resolves to count a day that school was canceled as an instructional day in accordance with paragraph (a), the school district must compensate employees and contract employers in accordance with subdivisions 2 and 3.

Subd. 2. **Instructional day; employees.** (a) This subdivision applies to the employee of a school district that resolves to count a day that school was canceled as an instructional day in accordance with subdivision 1 who:

(1) was scheduled to work on a day that school was canceled and counted as an instructional day;

(2) did not work on any or all of those days; and

(3) did not receive compensation for those days.

(b) Notwithstanding any law to the contrary, for each day identified in paragraph (a), a school district must either:

(1) allow any school district employee under paragraph (a) the opportunity to work on another day that the school district designates and must compensate the employee working on the designated day at the employee's normal rate of pay; or

(2) compensate any school district employee under paragraph (a) for each of the days not worked at the employee's normal rate of pay.

Subd. 3. **Contract employer to pay eligible employees.** (a) For purposes of this subdivision, "contract employer" means an employer who provides student-related services throughout the school year to a school district, and "eligible employee" means a person:

(1) whose primary task is to provide services to students attending a school district;

(2) who was scheduled to work for the contract employer on any of the days that school was canceled and the school board counts as an instructional day in accordance with subdivision 1;

(3) who did not work on any or all of those days; and

(4) who did not receive compensation for any or all of the employee's regularly scheduled shifts on those school days.

(b) A school district must notify a contract employer which days it counted as instructional days under subdivision 1, if any.

(c) A contract employer who agrees to compensate its eligible employees at their normal rate of pay for the hours of pay lost due to a school cancellation, later counted as an instructional day

under subdivision 1, must notify the district of its intended action and, once notified, the school district must fully compensate the contract employer for the days identified under paragraph (b).

(d) Notwithstanding paragraph (b), a school district and contract employer may adjust the full, regularly scheduled daily contract rate if special circumstances within the district warrant an adjustment.

Subd. 4. **Probationary teachers.** For the 2018-2019 school year only, for purposes of Minnesota Statutes, sections 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision 2, paragraph (d), the minimum number of days of teacher service that a probationary teacher must complete equals the difference between 120 days and the number of scheduled instructional days that were canceled due to health and safety concerns and that the school board resolved to count as days of instruction under Minnesota Statutes, section 120A.41.

Subd. 5. **Accounting.** Notwithstanding any law to the contrary, services paid under subdivision 2 or 3, including expenses recorded in the food service fund, may be charged to the same Uniform Financial Accounting and Reporting Standards object code to which the service is charged for an instructional day.

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

Delete the title and insert:

"A bill for an act relating to education; modifying the calculation of days and hours of instruction and compensation for school days canceled during the 2018-2019 school year; requiring affected school districts to report to the commissioner."

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

Senate Conferees: Carla J. Nelson, Charles W. Wiger, John Jasinski

House Conferees: Michelle (Shelly) Christensen, Cheryl Youakim, Dean Urdahl

Senator Nelson moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1743 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. 1743 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 61 and nays 2, as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Cwodzinski	Eaton	Gazelka
Anderson, B.	Chamberlain	Dahms	Eichorn	Goggin
Anderson, P.	Champion	Dibble	Eken	Hall
Bakk	Clausen	Draheim	Franzen	Hawj
Bigham	Cohen	Dziedzic	Frentz	Hayden

Hoffman	Klein	Nelson	Rosen	Weber
Housley	Koran	Newman	Ruud	Westrom
Isaacson	Laine	Newton	Senjem	Wiger
Jasinski	Lang	Pappas	Simonson	Wiklund
Jensen	Limmer	Pratt	Sparks	
Johnson	Marty	Rarick	Tomassoni	
Kent	Mathews	Relph	Torres Ray	
Kiffmeyer	Miller	Rest	Utke	

Those who voted in the negative were:

Howe                      Osmek

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### SPECIAL ORDERS

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 1547 and 1757.

### SPECIAL ORDER

**S.F. No. 1547:** A bill for an act relating to unemployment insurance; adopting changes recommended by the Unemployment Insurance Advisory committee in the 2018 legislative session; amending Minnesota Statutes 2018, sections 268.035, subdivisions 4, 12, 15, 20; 268.044, subdivisions 2, 3; 268.046, subdivision 1; 268.047, subdivision 3; 268.051, subdivision 2a; 268.057, subdivision 5; 268.069, subdivision 1; 268.07, subdivision 1; 268.085, subdivisions 3, 3a, 13a, by adding subdivisions; 268.095, subdivisions 6, 6a; 268.105, subdivision 6; 268.145, subdivision 1; 268.18, subdivisions 2b, 5.

S.F. No. 1547 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.



**SPECIAL ORDER**

**S.F. No. 1757:** A bill for an act relating to commerce; prohibiting the use of appropriated funds to support certain legal proceedings.

**CALL OF THE SENATE**

Senator Limmer imposed a call of the Senate for the balance of the proceedings on S.F. No. 1757. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 1757 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 30, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Cwodzinski	Frentz	Klein	Simonson
Bigham	Dibble	Hawj	Laine	Sparks
Carlson	Dziedzic	Hayden	Marty	Tomassoni
Champion	Eaton	Hoffman	Newton	Torres Ray
Clausen	Eken	Isaacson	Pappas	Wiger
Cohen	Franzen	Kent	Rest	Wiklund

So the bill passed and its title was agreed to.

**MEMBERS EXCUSED**

Senators Ingebrigtsen, Latz, and Little were excused from the Session of today. Senator Benson was excused from the Session of today from 11:30 to 11:55 a.m.

**ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, April 1, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate



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