

FORTY-FIFTH DAY

St. Paul, Minnesota, Wednesday, May 1, 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. Jim Foti.

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

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

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

The President declared a quorum present.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Kent, Dibble, and Clausen introduced--

S.F. No. 2857: A bill for an act relating to public safety; making placement of residence addresses on a driver's license optional; eliminating certain fees; establishing a computerized records system

and access requirements; amending Minnesota Statutes 2018, sections 171.07, subdivisions 1, 3; 171.11; 171.12, by adding a subdivision; 171.121.

Referred to the Committee on Transportation Finance and Policy.

Senators Little and Clausen introduced--

S.F. No. 2858: A bill for an act relating to capital investment; appropriating money for expansion of the Kenrick Avenue park-and-ride facility in Lakeville; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Housley, Eken, Koran, and Ruud introduced--

S.F. No. 2859: A bill for an act relating to human services; establishing a onetime grant for a pilot project to serve victims of elder abuse; appropriating money.

Referred to the Committee on Family Care and Aging.

Senator Simonson introduced--

S.F. No. 2860: A bill for an act relating to state lands; clarifying certain property rights in the city of Duluth.

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

MOTIONS AND RESOLUTIONS

Senator Osmek moved that the name of Senator Mathews be added as a co-author to S.F. No. 45. The motion prevailed.

Senator Hall moved that the names of Senators Lang and Jasinski be added as co-authors to S.F. No. 2694. The motion prevailed.

Senator Bigham introduced --

Senate Resolution No. 97: A Senate resolution recognizing John Wright on being named Volunteer of the Year for the city of St. Paul Park.

Referred to the Committee on Rules and Administration.

Senator Bigham introduced --

Senate Resolution No. 98: A Senate resolution recognizing Saren Croker for earning the 2019 Athena Award.

Referred to the Committee on Rules and Administration.

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:

H.F. Nos. 58, 2400, and 1555.

SPECIAL ORDER

H.F. No. 58: A bill for an act relating to transportation; designating a segment of marked Trunk Highway 95 as Corrections Officer Joseph Gomm Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

H.F. No. 58 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

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

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

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2414:

H.F. No. 2414: A bill for an act relating to state government; establishing the health and human services budget; modifying provisions governing children and families, operations, direct care and treatment, continuing care for older adults, disability services, chemical and mental health, mental health uniform service standards, health care, prescription drugs, health-related licensing boards, Department of Health programs, health coverage, resident rights and consumer protections, independent senior living facilities, dementia care services for assisted living facilities with dementia care, assisted living licensure conforming changes, third-party logistics providers and wholesale distributors, and prescription drug pricing; establishing OneCare Buy-In; establishing pharmacy benefit manager licensure; establishing prescription drug repository program; establishing insulin assistance program; establishing OneCare Buy-In reserve account; establishing assisted living licensure; requiring reports; making technical changes; modifying civil and criminal penalties; providing for rulemaking; modifying fees; making forecast adjustments; appropriating money; amending Minnesota Statutes 2018, sections 8.31, subdivision 1; 13.46, subdivisions 2, 3; 13.461, subdivision 28; 13.69, subdivision 1; 13.851, by adding a subdivision; 15C.02; 16A.151, subdivision 2; 16A.724, subdivision 2; 18K.02, subdivision 3; 18K.03; 62A.021, by adding subdivisions; 62A.152, subdivision 3; 62A.25, subdivision 2; 62A.28, subdivision 2; 62A.30, by adding a subdivision; 62A.3094, subdivision 1; 62A.65, subdivision 7; 62A.671, subdivision 6; 62D.02, subdivision 4; 62D.03, subdivision 1; 62D.05, subdivision 1; 62D.06, subdivision 1; 62D.12, by adding a subdivision; 62D.124, subdivisions 1, 2, 3, by adding subdivisions; 62D.17, subdivision 1; 62D.19; 62D.30, subdivision 8; 62E.02, subdivision 3; 62E.23, subdivision 4; 62J.23, subdivision 2; 62J.497, subdivision 1; 62K.075; 62K.10, subdivisions 2, 3, 4, 5; 62Q.01, by adding a subdivision; 62Q.184, subdivisions 1, 3; 62Q.47; 62Q.81; 103I.005, subdivisions 2, 8a, 17a; 103I.205, subdivisions 1, 4, 9; 103I.208, subdivision 1; 103I.235, subdivision 3; 103I.301, subdivision 6, by adding a subdivision; 103I.601, subdivision 4; 119B.011, subdivisions 19, 20, by adding a subdivision; 119B.02, subdivisions 3, 6, 7; 119B.025, subdivision 1, by adding a subdivision; 119B.03, subdivision 9; 119B.05, subdivision 1; 119B.09, subdivisions 1, 7; 119B.095, subdivision 2, by adding a subdivision; 119B.125, subdivision 6; 119B.13, subdivisions 1, 6, 7; 119B.16, subdivisions 1, 1a, 1b, by adding subdivisions; 124D.142; 124D.165, subdivision 4; 125A.515, subdivisions 1, 3, 4, 5, 7, 8; 144.051, subdivisions 4, 5, 6; 144.057, subdivisions 1, 3; 144.0724, subdivisions 4, 5, 8; 144.121, subdivision 1a, by adding a subdivision; 144.122; 144.225, subdivisions 2, 2a, 7; 144.3831, subdivision 1; 144.412; 144.413, subdivisions 1, 4; 144.414, subdivisions 2, 3; 144.416; 144.4165; 144.4167, subdivision 4; 144.417, subdivision 4; 144.562, subdivision 2; 144.966, subdivision 2; 144.99, subdivision 1; 144A.04, subdivision 5; 144A.071, subdivisions 1a, 2, 3, 4a, 4c, 5a; 144A.073, subdivision 3c; 144A.20, subdivision 1; 144A.24; 144A.26; 144A.43, subdivisions 11, 30, by adding a subdivision; 144A.44, subdivision 1; 144A.471, subdivisions 7, 9; 144A.472, subdivisions 5, 7; 144A.473; 144A.474, subdivisions 2, 9, 11; 144A.475, subdivisions 1, 2, 3b, 5; 144A.476, subdivision 1; 144A.479, subdivision 7; 144A.4791, subdivisions 1, 3, 6, 7, 8, 9, 10; 144A.4792, subdivisions 1, 2, 5, 10; 144A.4793, subdivision 6; 144A.4796, subdivision 2; 144A.4797, subdivision 3; 144A.4798; 144A.4799; 144A.484, subdivision 1; 145.4235, subdivisions 2, 3, 4, by adding a subdivision; 145.928, subdivisions 1, 7; 147.37; 147D.27, by adding a subdivision; 147E.40, subdivision 1; 147F.17, subdivision 1; 148.59; 148.6445, subdivisions 1, 2, 2a, 3, 4, 5, 6, 10;

148.7815, subdivision 1; 148B.5301, subdivision 2; 148E.0555, subdivision 6; 148E.120, subdivision 2; 148E.180; 148F.11, subdivision 1; 150A.06, by adding subdivisions; 150A.091, by adding subdivisions; 151.01, subdivisions 23, 31, 35, by adding a subdivision; 151.06, by adding a subdivision; 151.065, subdivisions 1, 2, 3, 6; 151.071, subdivisions 1, 2; 151.15, subdivision 1, by adding subdivisions; 151.19, subdivisions 1, 3; 151.21, subdivision 7, by adding a subdivision; 151.211, subdivision 2, by adding a subdivision; 151.252, subdivisions 1, 1a, 3; 151.253, by adding a subdivision; 151.32; 151.40, subdivisions 1, 2; 151.43; 151.46; 151.47, subdivision 1, by adding a subdivision; 152.01, subdivision 23; 152.02, subdivisions 2, 3; 152.11, by adding a subdivision; 152.12, by adding a subdivision; 152.125, subdivision 3; 152.126, subdivisions 1, 6, 7, by adding a subdivision; 152.22, subdivisions 6, 11, 13, 14, by adding subdivisions; 152.25, subdivisions 1, 1a, 1c, 4; 152.27, subdivisions 2, 3, 4, 5, 6; 152.28, subdivision 1; 152.29, subdivisions 1, 2, 3; 152.31; 152.32, subdivision 2; 152.33, subdivisions 1, 2; 152.34; 152.36, subdivision 2; 171.171; 214.25, subdivision 2; 237.50, subdivisions 4a, 6a, 10a, 11, by adding subdivisions; 237.51, subdivisions 1, 5a; 237.52, subdivision 5; 237.53; 245.095; 245.462, subdivisions 6, 8, 9, 14, 17, 18, 21, 23, by adding a subdivision; 245.4661, subdivision 9; 245.467, subdivisions 2, 3; 245.469, subdivisions 1, 2; 245.470, subdivision 1; 245.4712, subdivision 2; 245.472, subdivision 2; 245.4863; 245.4871, subdivisions 9a, 10, 11a, 17, 21, 26, 27, 29, 32, 34; 245.4876, subdivisions 2, 3; 245.4879, subdivisions 1, 2; 245.488, subdivision 1; 245.4889, subdivision 1; 245.696, by adding a subdivision; 245.735, subdivision 3; 245A.02, subdivisions 3, 5a, 8, 9, 12, 14, 18, by adding subdivisions; 245A.03, subdivisions 1, 3; 245A.04, subdivisions 1, 2, 4, 6, 7, 10, by adding subdivisions; 245A.05; 245A.07, subdivisions 1, 2, 2a, 3; 245A.10, subdivision 4; 245A.14, subdivisions 4, 8, by adding subdivisions; 245A.145, subdivisions 1, 2; 245A.151; 245A.16, subdivision 1, by adding a subdivision; 245A.18, subdivision 2; 245A.40; 245A.41; 245A.50; 245A.51, subdivision 3, by adding subdivisions; 245A.66, subdivisions 2, 3; 245C.02, subdivision 6a, by adding subdivisions; 245C.03, subdivision 1, by adding a subdivision; 245C.05, subdivisions 2c, 2d, 4, 5, 5a; 245C.08, subdivisions 1, 3; 245C.10, by adding a subdivision; 245C.13, subdivision 2, by adding a subdivision; 245C.14, subdivision 1; 245C.15, subdivisions 2, 3, 4, by adding a subdivision; 245C.22, subdivisions 4, 5; 245C.24; 245C.30, subdivisions 1, 2, 3; 245C.32, subdivision 2; 245D.03, subdivision 1; 245D.071, subdivision 1; 245D.081, subdivision 3; 245E.01, subdivision 8; 245E.02, by adding a subdivision; 245F.05, subdivision 2; 245H.01, by adding subdivisions; 245H.03, by adding a subdivision; 245H.07; 245H.10, subdivision 1; 245H.11; 245H.12; 245H.13, subdivision 5, by adding subdivisions; 245H.14, subdivisions 1, 3, 4, 5, 6; 245H.15, subdivision 1; 246.54, by adding a subdivision; 246B.10; 252.27, subdivision 2a; 252.275, subdivision 3; 252.28, subdivision 1; 252.41, subdivisions 3, 4, 5, 6, 7, 9; 252.42; 252.43; 252.44; 252.45; 254A.03, subdivision 3; 254B.02, subdivision 1; 254B.03, subdivisions 2, 4; 254B.04, subdivision 1; 254B.05, subdivisions 1a, 5; 254B.06, subdivisions 1, 2; 256.01, subdivision 14b; 256.046, subdivision 1, by adding a subdivision; 256.478; 256.9365; 256.962, subdivision 5; 256.969, subdivisions 2b, 3a, 9, 17, 19; 256.98, subdivision 8; 256B.02, subdivision 7; 256B.04, subdivisions 14, 21, 22; 256B.055, subdivision 2; 256B.056, subdivisions 3, 5c; 256B.0615, subdivision 1; 256B.0616, subdivisions 1, 3; 256B.0622, subdivisions 1, 2, 3a, 4, 5a, 7, 7a, 7b, 7d; 256B.0623, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12; 256B.0624, subdivisions 2, 4, 5, 6, 7, 8, 9, 11; 256B.0625, subdivisions 3b, 5, 5l, 9, 13, 13d, 13e, 13f, 17, 19c, 23, 24, 30, 31, 42, 45a, 48, 49, 56a, 57, 61, 62, 65, by adding subdivisions; 256B.064, subdivisions 1a, 1b, 2, by adding subdivisions; 256B.0644; 256B.0651, subdivision 17; 256B.0658; 256B.0659, subdivisions 11, 12, 21, 24, 28, by adding a subdivision; 256B.0757, subdivisions 2, 4, 8, by adding subdivisions; 256B.0915, subdivisions 3a, 3b; 256B.092, subdivision 13; 256B.0941, subdivisions 1, 3; 256B.0943, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11; 256B.0944, subdivisions 1, 3, 4, 5, 6, 7, 8, 9; 256B.0946, subdivisions 1, 1a, 2, 3, 4, 6; 256B.0947,

subdivisions 1, 2, 3, 3a, 5, 6, 7a; 256B.0949, subdivisions 2, 4, 5a, by adding a subdivision; 256B.27, subdivision 3; 256B.434, subdivisions 1, 3; 256B.49, subdivision 24; 256B.4912, by adding subdivisions; 256B.4913, subdivisions 4a, 5; 256B.4914, subdivisions 2, 4, 5, 6, 7, 8, 9, 10, 10a, 14, 15, by adding a subdivision; 256B.69, subdivisions 6, 6d, 35, by adding subdivisions; 256B.76, subdivisions 2, 4; 256B.766; 256B.79, subdivisions 2, 3, 4, 5, 6; 256B.85, subdivisions 3, 10, 11, 12, 16, by adding a subdivision; 256I.03, subdivision 15; 256I.04, subdivisions 1, 2a, 2f; 256I.05, subdivision 1c; 256I.06, subdivision 8; 256J.24, subdivision 5; 256L.03, by adding a subdivision; 256L.07, subdivision 2, by adding a subdivision; 256L.11, subdivisions 2, 7; 256L.121, subdivision 3; 256M.41, subdivision 3, by adding a subdivision; 256R.02, subdivisions 8, 19, by adding subdivisions; 256R.08, subdivision 1; 256R.10, by adding a subdivision; 256R.16, subdivision 1; 256R.21, by adding a subdivision; 256R.23, subdivision 5; 256R.24; 256R.25; 256R.26; 256R.44; 256R.47; 256R.50, subdivision 6; 260C.007, subdivision 18, by adding a subdivision; 260C.178, subdivision 1; 260C.201, subdivisions 1, 2, 6; 260C.212, subdivision 2; 260C.452, subdivision 4; 260C.503, subdivision 1; 270B.12, by adding a subdivision; 290.0131, by adding a subdivision; 295.51, subdivision 1a; 295.52, subdivision 8; 295.57, subdivision 3; 295.582, subdivision 1; 297I.05, subdivision 5; 317A.811, by adding a subdivision; 325F.69, by adding a subdivision; 325F.72, subdivisions 1, 2, 4; 461.12, subdivisions 2, 3, 4, 5, 6, 8; 461.18; 518A.32, subdivision 3; 609.685; 609.6855; 626.556, subdivision 10; 626.5561, subdivision 1; 626.5572, subdivision 6; 628.26; 641.15, subdivision 3a; Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 6, as amended; Laws 2017, First Special Session chapter 6, article 1, section 45; article 3, section 49; article 5, section 11; article 8, sections 71; 72; proposing coding for new law in Minnesota Statutes, chapters 10; 62A; 62C; 62D; 62K; 62Q; 62V; 119B; 137; 144; 144A; 144G; 145; 148; 151; 214; 245; 245A; 245D; 256; 256B; 256L; 256M; 256R; 260C; 290; 461; 609; proposing coding for new law as Minnesota Statutes, chapters 62W; 144I; 144J; 144K; 245I; 256T; 317B; repealing Minnesota Statutes 2018, sections 62A.021, subdivisions 1, 3; 119B.125, subdivision 8; 119B.16, subdivision 2; 144.414, subdivision 5; 144A.071, subdivision 4d; 144A.441; 144A.442; 144A.45, subdivision 6; 144A.472, subdivision 4; 144A.481; 144D.01; 144D.015; 144D.02; 144D.025; 144D.03; 144D.04; 144D.045; 144D.05; 144D.06; 144D.065; 144D.066; 144D.07; 144D.08; 144D.09; 144D.10; 144D.11; 144G.01; 144G.02; 144G.03; 144G.04; 144G.05; 144G.06; 151.214, subdivision 2; 151.42; 151.44; 151.49; 151.50; 151.51; 151.55; 151.60; 151.61; 151.62; 151.63; 151.64; 151.65; 151.66; 151.67; 151.68; 151.69; 151.70; 151.71; 214.17; 214.18; 214.19; 214.20; 214.21; 214.22; 214.23; 214.24; 245.462, subdivision 4a; 245E.06, subdivisions 2, 4, 5; 245H.10, subdivision 2; 246.18, subdivisions 8, 9; 252.41, subdivision 8; 252.431; 252.451; 254B.03, subdivision 4a; 256B.0615, subdivisions 2, 4, 5; 256B.0616, subdivisions 2, 4, 5; 256B.0624, subdivision 10; 256B.0625, subdivision 63; 256B.0659, subdivision 22; 256B.0705; 256B.0943, subdivision 10; 256B.0944, subdivision 10; 256B.0946, subdivision 5; 256B.0947, subdivision 9; 256B.431, subdivisions 3a, 3f, 3g, 3i, 10, 13, 15, 16, 17, 17a, 17c, 17d, 17e, 18, 21, 22, 30, 45; 256B.434, subdivisions 4, 4f, 4i, 4j, 6, 10; 256B.4913, subdivisions 4a, 6, 7; 256B.79, subdivision 7; 256L.11, subdivisions 2a, 6a; 256R.36; 256R.40; 256R.41; Laws 2010, First Special Session chapter 1, article 25, section 3, subdivision 10; Laws 2011, First Special Session chapter 9, article 6, section 97, subdivision 6; Minnesota Rules, parts 2960.3030, subpart 3; 3400.0185, subpart 5; 6400.6970; 7200.6100; 7200.6105; 9502.0425, subparts 4, 16, 17; 9503.0155, subpart 8; 9505.0370; 9505.0371; 9505.0372; 9520.0010; 9520.0020; 9520.0030; 9520.0040; 9520.0050; 9520.0060; 9520.0070; 9520.0080; 9520.0090; 9520.0100; 9520.0110; 9520.0120; 9520.0130; 9520.0140; 9520.0150; 9520.0160; 9520.0170; 9520.0180; 9520.0190; 9520.0200; 9520.0210; 9520.0230; 9549.0057; 9549.0060, subparts 4, 5, 6, 7, 10, 11, 14.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Liebling, Moran, Schultz, Halverson and Hamilton have been appointed as such committee on the part of the House.

House File No. 2414 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 1, 2019

Senator Benson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2414, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

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

Senator Gazelka from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 2841: A bill for an act relating to higher education; providing student relief from Argosy University closure; requiring a report.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 2841 and that the report from the Committee on Higher Education Finance and Policy, shown in the Journal for April 25, 2019, be amended to read:

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 2400: A bill for an act relating to education finance; modifying provisions for prekindergarten through grade 12 including general education, education excellence, teachers, special education, health and safety, facilities, fund transfers, accounting, nutrition, libraries, early childhood, community education, lifelong learning, and state agencies; making technical changes; making forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 5A.03, subdivision 2; 16A.152, subdivisions 1b, 2; 120A.20, subdivision 2; 120A.22, subdivisions 5, 6, 11; 120A.24, subdivision 1; 120A.35; 120A.40; 120B.11, subdivisions 2, 3; 120B.12, subdivision 2; 120B.122, subdivision 1; 120B.21; 120B.30, subdivisions 1, 1a; 120B.35,

subdivision 3; 120B.36, subdivision 1; 121A.22, subdivision 1, by adding a subdivision; 121A.335, subdivisions 3, 5; 121A.41, by adding subdivisions; 121A.45, subdivisions 1, 2; 121A.46, by adding subdivisions; 121A.47, subdivisions 2, 14; 121A.53, subdivision 1; 121A.55; 122A.06, subdivisions 2, 5, 7, 8; 122A.07, subdivisions 1, 2, 4a, by adding a subdivision; 122A.09, subdivision 9; 122A.091, subdivision 1; 122A.092, subdivisions 5, 6; 122A.14, subdivision 9; 122A.17; 122A.175, subdivisions 1, 2; 122A.18, subdivisions 7c, 8, 10; 122A.181, subdivisions 3, 4, 5; 122A.182, subdivisions 1, 3, 4; 122A.183, subdivisions 2, 4; 122A.184, subdivisions 1, 3; 122A.185, subdivision 1; 122A.187, subdivision 3, by adding subdivisions; 122A.19, subdivision 4; 122A.20, subdivisions 1, 2; 122A.21; 122A.22; 122A.26, subdivision 2, by adding a subdivision; 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.63, subdivisions 1, 4, 5, 6, by adding a subdivision; 122A.70; 123A.64; 123B.02, subdivision 14; 123B.143, subdivision 1; 123B.41, subdivisions 2, 5; 123B.42, subdivision 3; 123B.49, subdivision 4; 123B.52, subdivision 6; 123B.571; 123B.595; 123B.61; 123B.92, subdivision 1; 124D.02, subdivision 1; 124D.09, subdivisions 3, 7, 9, 10; 124D.091; 124D.111; 124D.1158; 124D.151, subdivisions 2, 4, 5, 6; 124D.165, subdivisions 2, 3, 4, by adding a subdivision; 124D.2211; 124D.231; 124D.34, subdivisions 2, 3, 4, 5, 8, 12; 124D.4531; 124D.531, subdivision 1; 124D.55; 124D.59, subdivision 2a; 124D.65, subdivision 5; 124D.68, subdivision 2; 124D.78, subdivision 2; 124D.83, subdivision 2; 124D.861, subdivision 2; 124D.862, subdivisions 1, 4, 5, by adding a subdivision; 124D.957, subdivision 1, by adding a subdivision; 124D.98, by adding a subdivision; 124D.99, subdivision 3; 124E.03, subdivision 2; 124E.11; 124E.12, by adding a subdivision; 124E.13, subdivision 3; 124E.20, subdivision 1; 124E.21, subdivision 1; 125A.08; 125A.091, subdivisions 3a, 7; 125A.11, subdivision 1; 125A.50, subdivision 1; 125A.76, subdivisions 1, 2a, 2c, by adding a subdivision; 126C.05, subdivision 1; 126C.10, subdivisions 2, 2d, 2e, 3, 13a, 18a, 24; 126C.126; 126C.17, subdivisions 1, 2, 5, 6, 7, 7a, 9, by adding subdivisions; 126C.40, subdivision 1; 126C.44; 127A.052; 127A.45, subdivision 13; 127A.47, subdivision 7; 127A.49, subdivision 2; 134.355, subdivisions 5, 6, 7, 8; 136D.01; 136D.49; 214.01, subdivision 3; 245C.12; 257.0725; 471.59, subdivision 1; 626.556, subdivisions 2, 3b, 10, 11; 631.40, subdivision 4; Laws 2016, chapter 189, article 25, sections 56, subdivisions 2, 3; 61; 62, subdivisions 4, 15; Laws 2017, First Special Session chapter 5, article 1, section 19, subdivisions 2, 3, 4, 5, 6, 7, 9; article 2, section 57, subdivisions 2, 3, 4, 5, 6, 21, 26, 37; article 4, section 12, subdivisions 2, as amended, 3, 4, 5; article 5, section 14, subdivisions 2, 3; article 6, section 3, subdivisions 2, 3, 4; article 8, sections 8; 9, subdivision 6; 10, subdivisions 3, 4, 5a, 6, 12; article 9, section 2, subdivision 2; article 10, section 6, subdivision 2; article 11, section 9, subdivision 2; Laws 2018, chapter 211, article 21, section 4; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 121A; 122A; 123B; 125A; 127A; 245C; repealing Minnesota Statutes 2018, sections 120B.299; 122A.09, subdivision 1; 122A.182, subdivision 2; 122A.63, subdivisions 7, 8; 126C.17, subdivision 9a; 127A.051, subdivision 7; 127A.14; 136D.93; Laws 2017, First Special Session chapter 5, article 11, section 6; Minnesota Rules, part 8710.2100, subparts 1, 2.

CALL OF THE SENATE

Senator Koran imposed a call of the Senate for the balance of the proceedings on H.F. No. 2400. The Sergeant at Arms was instructed to bring in the absent members.

Senator Nelson moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 18, after line 3, insert:

"Sec. 24. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10, subdivision 1, may be increased in the amount approved by the voters of the district at a referendum called for the purpose. The referendum may be called by the board. The referendum must be conducted one or two calendar years before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. Unless the referendum is conducted by mail under subdivision 11, paragraph (a), the referendum must be held on the first Tuesday after the first Monday in November. The ballot must state the maximum amount of the increased revenue per adjusted pupil unit. The ballot may state a schedule, determined by the board, of increased revenue per adjusted pupil unit that differs from year to year over the number of years for which the increased revenue is authorized or may state that the amount shall increase annually by the rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum levy authority is expiring. In this case, the ballot may also compare the proposed levy authority to the existing expiring levy authority, and express the proposed increase as the amount, if any, over the expiring referendum levy authority. The ballot must designate the specific number of years, not to exceed ten, for which the referendum authorization applies. The ballot, including a ballot on the question to revoke or reduce the increased revenue amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per pupil." The notice required under section 275.60 may be modified to read, in cases of renewing existing levies at the same amount per pupil as in the previous year:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED TO EXPIRE."

The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of, School District No. ..., be approved?"

If approved, an amount equal to the approved revenue per adjusted pupil unit times the adjusted pupil units for the school year beginning in the year after the levy is certified shall be authorized for certification for the number of years approved, if applicable, or until revoked or reduced by the voters of the district at a subsequent referendum.

(b) The board must deliver by mail at least 15 days but no more than ~~30~~ 45 days before the day of the referendum to each taxpayer a notice of the referendum and the proposed revenue increase. The board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in

annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the school district.

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum extends an existing operating referendum at the same amount per pupil as in the previous year."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke or reduce the revenue amount must state the amount per adjusted pupil unit by which the authority is to be reduced. Revenue authority approved by the voters of the district pursuant to paragraph (a) must be available to the school district at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

EFFECTIVE DATE. This section is effective for referendum elections held on or after July 1, 2019."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Cwodzinski moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 24, delete section 3, and insert:

"Sec. 3. Minnesota Statutes 2018, section 120B.024, subdivision 1, is amended to read:

Subdivision 1. **Graduation requirements.** Students ~~beginning 9th grade in the 2011-2012 school year and later~~ must successfully complete the following high school level credits for graduation:

(1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;

(2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics;

(3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics;

(4) three credits of science, including at least one credit of biology, one credit of chemistry or physics, and one elective credit of science. The combination of credits under this clause must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;

(5) three and one-half credits of social studies, including credit for a specific course in government and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2020-2021 school year and later, and a combination of other credits encompassing at least United States history, geography, ~~government and citizenship~~, world history, and economics sufficient to satisfy all of the academic standards in social studies;

(6) one credit of the arts sufficient to satisfy all of the state or local academic standards in the arts; and

(7) a minimum of seven elective credits."

Page 37, delete lines 21 to 23

Renumber or reletter in sequence and correct internal references

The motion prevailed. So the amendment was adopted.

Senator Bigham moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 99, after line 20, insert:

"Sec. 5. Minnesota Statutes 2018, section 123B.571, is amended to read:

123B.571 RADON TESTING.

Subdivision 1. **Voluntary Plan.** The commissioners of health and education ~~may~~ must jointly develop a plan to ~~encourage~~ require school districts to accurately and efficiently test for the presence of radon in public school buildings serving students in kindergarten through grade 12. For purposes of this section, buildings also include the Minnesota State Academies in Faribault and the Perpich

Center for Arts Education in Golden Valley. To the extent possible, the commissioners shall base the plan on the standards established by the United States Environmental Protection Agency.

Subd. 2. **Radon testing.** A school district ~~may~~ must include radon testing as a part of its ten-year facility plan under section 123B.595, subdivision 4. ~~If a school district receives authority to use long-term facilities maintenance revenue to conduct radon testing,~~ The district shall conduct the testing according to the radon testing plan developed by the commissioners of health and education.

Subd. 3. **Reporting.** A school district that has tested its school buildings for the presence of radon ~~shall~~ must report the results of its tests to the Department of Health in a form and manner prescribed by the commissioner of health and the Department of Education in a form and manner prescribed by the commissioner of education. A school district that has tested for the presence of radon ~~shall~~ must also report the results of its testing at a school board meeting, make the results of the testing available to the public for review, and notify parents of the availability of the information. Notwithstanding section 13.3805, subdivision 5, the results of radon testing under this section are public data.

EFFECTIVE DATE. This section is effective for the 2020-2021 school year and later."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Housley moved to amend the Bigam amendment to H.F. No. 2400 as follows:

Page 1, line 8, delete the new language and reinstate the stricken language

Page 1, lines 14 to 26, delete the new language and reinstate the stricken language

Page 1, after line 27, insert:

"Page 103, after line 22, insert:

"Sec. 13. **RADON STUDY GROUP.**

The commissioner of education must convene a study group of interested stakeholders to study radon testing of Minnesota school buildings. The commissioner must report the study group's findings to the legislative committees having jurisdiction over kindergarten through grade 12 education by January 18, 2020. The report must address short and long-term radon testing, the use of certified radon testing devices, and the location of radon testing such as occupied rooms, rooms with ground contact, and rooms immediately above unoccupied spaces that are in contact with the ground."

The question was taken on the adoption of the Housley amendment to the Bigam amendment.

The roll was called, and there were yeas 35 and nays 31, as follows:

Those who voted in the affirmative were:

Abeler	Chamberlain	Gazelka	Howe	Johnson
Anderson, B.	Dahms	Goggin	Ingebrigtsen	Kiffmeyer
Anderson, P.	Draheim	Hall	Jasinski	Koran
Benson	Eichorn	Housley	Jensen	Lang

Limmer
Mathews
Miller

Nelson
Newman
Osmek

Pratt
Relph
Rosen

Ruud
Senjem
Sparks

Utke
Weber
Westrom

Those who voted in the negative were:

Bigham
Carlson
Champion
Clausen
Cohen
Cwodzinski
Dibble

Dziedzic
Eaton
Eken
Franzen
Frentz
Hawj
Hayden

Hoffman
Isaacson
Kent
Klein
Laine
Latz
Little

Marty
Newton
Pappas
Rarick
Rest
Simonson
Tomassoni

Torres Ray
Wiger
Wiklund

The motion prevailed. So the amendment to the amendment was adopted.

Senator Bigham withdrew her amendment.

Senator Newton moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 99, line 7, strike "or"

Page 99, line 9, strike the period and insert "; or"

Page 99, after line 9, insert:

"(5) a charitable organization under section 501(c)(3) of the Internal Revenue Code that is registered with the attorney general's office for educational use."

The motion prevailed. So the amendment was adopted.

Senator Frentz moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 55, lines 13 and 14, delete "491,000" and insert "541,000"

Page 55, after line 21, insert:

"(g) \$50,000 in fiscal years 2020 and 2021 only is for the Children's Museum of Southern Minnesota."

Page 55, line 22, delete "(g)" and insert "(h)"

Page 55, line 23, delete "(h)" and insert "(i)"

Page 74, lines 4 and 5, delete "250,000" and insert "200,000"

Page 74, line 14, before "The" insert "The base for fiscal years 2022 and 2023 is \$250,000 each year."

Correct the subdivision and section totals and the appropriations by fund

Senator Nelson moved to amend the Frenz amendment to H.F. No. 2400 as follows:

Page 1, after line 9, insert:

"Page 129, line 21, delete "20,859,000" and insert "20,809,000"

Page 129, line 22, delete "20,790,000" and insert "20,740,000"

Page 1, delete lines 10 to 12

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Frenz amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Ruud moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 23, delete section 1

Page 43, delete sections 18, 19, and 20

Page 44, delete sections 21 and 22

Page 61, delete line 16

Page 61, line 17, delete "(c)" and insert "(b)"

Page 61, line 18, delete "(d)" and insert "(c)"

Page 61, line 20, delete "(b), (c), and (d)" and insert "(b) and (c)"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 47 and nays 18, as follows:

Those who voted in the affirmative were:

Abeler	Eaton	Hawj	Johnson	Mathews
Anderson, B.	Eichorn	Hayden	Kiffmeyer	Newman
Anderson, P.	Eken	Hoffman	Klein	Newton
Bigham	Franzen	Housley	Koran	Osmek
Chamberlain	Frenz	Howe	Laine	Pappas
Cwodzinski	Gazelka	Ingebrigtsen	Lang	Pratt
Dibble	Goggin	Jasinski	Limmer	Rarick
Draheim	Hall	Jensen	Marty	Rosen

Ruud	Simonson	Tomassoni	Westrom
Senjem	Sparks	Torres Ray	

Those who voted in the negative were:

Benson	Dahms	Latz	Relph	Wiger
Carlson	Dziedzic	Little	Rest	Wiklund
Champion	Isaacson	Miller	Utke	
Clausen	Kent	Nelson	Weber	

The motion prevailed. So the amendment was adopted.

Senator Torres Ray moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 38, after line 23, insert:

"Sec. 11. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision to read:

Subd. 12. Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to removing a pupil from class or dismissing a pupil from school, including evidence-based positive behavioral interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, referrals for special education or 504 evaluations, academic screening for Title I services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices require school officials to intervene in, redirect, and support a pupil's behavior before removing a pupil from class or beginning dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.031, subdivision 4, paragraph (a), clause (1); 121A.575, clauses (1) and (2); 121A.61, subdivision 3, paragraph (q); and 122A.627, clause (3).

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 12. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision to read:

Subd. 13. Pupil withdrawal agreements. "Pupil withdrawal agreements" means a verbal or written agreement between a school or district administrator and a pupil's parent or guardian to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement may be no longer than 12 months.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 13. Minnesota Statutes 2018, section 121A.45, subdivision 1, is amended to read:

Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil without attempting to provide alternative educational services use nonexclusionary disciplinary policies and practices before a dismissal proceedings proceeding or a pupil withdrawal agreement, except where

it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 14. Minnesota Statutes 2018, section 121A.46, is amended by adding a subdivision to read:

Subd. 5. Suspensions exceeding five consecutive school days. A school administrator must ensure that when a pupil is suspended for more than five consecutive school days, alternative education services are provided.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 15. Minnesota Statutes 2018, section 121A.46, is amended by adding a subdivision to read:

Subd. 6. Minimum education services. School officials must give a suspended pupil the opportunity to complete all school work assigned during the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 16. Minnesota Statutes 2018, section 121A.47, is amended by adding a subdivision to read:

Subd. 1a. Safety assessment requirement. Prior to providing notice of expulsion or exclusion under subdivision 2 or accepting a pupil withdrawal agreement, a school's integrated threat assessment team must conduct a school safety assessment of the pupil consistent with section 121A.35. The assessment must address the pupil's underlying issues that led to the expulsion, exclusion, or pupil withdrawal agreement in order to prevent behaviors from recurring.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 17. Minnesota Statutes 2018, section 121A.47, subdivision 2, is amended to read:

Subd. 2. Written notice. Written notice of intent to take action ~~shall~~ must:

- (a) (1) be served upon the pupil and the pupil's parent or guardian personally or by mail;
- (b) (2) contain a complete statement of the facts, a list of the witnesses and a description of their testimony;
- (c) (3) state the date, time, and place of the hearing;
- (d) (4) be accompanied by a copy of sections 121A.40 to 121A.56;
- (e) (5) describe ~~alternative educational services~~ the nonexclusionary disciplinary policies and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and

(6) inform the pupil and parent or guardian of the right to:

(i) have a representative of the pupil's own choosing, including legal counsel, at the hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Department of Education and is posted on its website;

(ii) examine the pupil's records before the hearing;

(iii) present evidence; and

(iv) confront and cross-examine witnesses.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 18. Minnesota Statutes 2018, section 121A.47, subdivision 14, is amended to read:

Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare and enforce an admission or readmission plan for any pupil who is excluded or expelled from school. The plan ~~may include~~ must address measures to improve the pupil's behavior, ~~including and may include~~ completing a character education program, consistent with section 120B.232, subdivision 1, ~~and~~ social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must require parental involvement in the admission or readmission process, and may indicate the consequences to the pupil of not improving the pupil's behavior.

(b) The definition of suspension under section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. A readmission plan must provide, where appropriate, alternative education services, which must not be used to extend the student's current suspension period. Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School officials must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect or medical or educational neglect.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 19. Minnesota Statutes 2018, section 121A.53, subdivision 1, is amended to read:

Subdivision 1. **Exclusions and expulsions; student withdrawals; physical assaults.** Consistent with subdivision 2, the school board must report through the department electronic reporting system each exclusion or expulsion ~~and~~, each physical assault of a district employee by a ~~student pupil, and~~ each pupil withdrawal agreement within 30 days of the effective date of the dismissal action, pupil withdrawal, or assault to the commissioner of education. This report must include a statement of ~~alternative educational services~~ nonexclusionary disciplinary policies and practices, or other sanction, intervention, or resolution in response to the assault given the pupil and the reason for, the effective

date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the ~~student's~~ pupil's age, grade, gender, race, and special education status.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.

Sec. 20. Minnesota Statutes 2018, section 121A.55, is amended to read:

121A.55 POLICIES TO BE ESTABLISHED.

(a) The commissioner of education shall promulgate guidelines to assist each school board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section 121A.41, subdivision 12, and emphasize preventing dismissals through early detection of problems and shall. The policies must be designed to address students' inappropriate behavior from recurring.

(b) The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period. The school is responsible for ensuring that the alternative educational services, if provided to the pupil wishes to take advantage of them, must be are adequate to allow the pupil to make progress ~~towards~~ toward meeting the graduation standards adopted under section 120B.02 ~~and~~, help prepare the pupil for readmission, and are consistent with section 121A.46, subdivision 6.

(c) For expulsion and exclusion dismissals, as well as pupil withdrawal agreements as defined in section 121A.41, subdivision 14:

(1) the school district's continuing responsibility includes reviewing the pupil's school work and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. School districts must communicate on a regular basis with the pupil's parent or guardian to ensure the pupil is completing the work assigned through the alternative educational services;

(2) if school-based mental health services are provided in the district under section 245.4889, pupils continue to be eligible for those services until they are enrolled in a new district; and

(3) The school district must provide to the pupil's parent or guardian a list of mental health and counseling services available to the pupil after expulsion. The list must also be posted on the district's website.

~~(b)~~ (d) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

~~(e)~~ (e) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Hoffman moved to amend the Torres Ray amendment to H.F. No. 2400 as follows:

Page 1, delete section 12

Renumber the sections in sequence

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Torres Ray amendment, as amended.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail. So the Torres Ray amendment, as amended, was not adopted.

Senator Hoffman moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 79, after line 27, insert:

"Sec. 2. [125A.081] SPECIAL EDUCATION SUPPLEMENTAL INFORMATION.

A school district is encouraged to include check boxes on all special education forms and other materials identifying students who are:

(1) twice-exceptional;

(2) print disabled;

(3) served under a standards-based individualized education program; or

(4) served under an individualized education program with modifications."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kent moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 114, after line 30, insert:

"Sec. 10. Laws 2017, First Special Session chapter 5, article 8, section 8, the effective date, is amended to read:

EFFECTIVE DATE. Paragraph (i) of this section ~~expires at the end of fiscal year 2019~~ does not expire.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Kent moved to amend the Kent amendment to H.F. No. 2400 as follows:

Page 1, after line 3, insert:

"Page 113, delete section 6"

Page 1, after line 4, insert:

"Sec. 9. Minnesota Statutes 2018, section 126C.05, subdivision 1, is amended to read:

Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in average daily membership enrolled in the district of residence, in another district under sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

(a) A prekindergarten pupil with a disability who is enrolled in a program approved by the commissioner and has an individualized education program is counted as the ratio of the number of hours of assessment and education service to 825 times 1.0 with a minimum average daily membership of 0.28, but not more than 1.0 pupil unit.

(b) A prekindergarten pupil who is assessed but determined not to be disabled is counted as the ratio of the number of hours of assessment service to 825 times 1.0.

(c) A kindergarten pupil with a disability who is enrolled in a program approved by the commissioner is counted as the ratio of the number of hours of assessment and education services required in the fiscal year by the pupil's individualized education program to 875, but not more than one.

(d) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled in an approved voluntary prekindergarten program under section 124D.151 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil units.

(e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil unit if the pupil is enrolled in a free all-day, every day kindergarten program available to all kindergarten pupils at the pupil's school that meets the minimum hours requirement in section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day, every day kindergarten program available to all kindergarten pupils at the pupil's school.

(f) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

(g) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

(h) A pupil who is in the postsecondary enrollment options program is counted as 1.2 pupil units.

(i) For fiscal years 2018 ~~and~~, 2019, 2020, and 2021 only, a prekindergarten pupil who:

(1) is not included in paragraph (a), (b), or (d);

(2) is enrolled in a school readiness plus program under Laws 2017, First Special Session chapter 5, article 8, section 9; and

(3) has one or more of the risk factors specified by the eligibility requirements for a school readiness plus program,

is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same manner as a voluntary prekindergarten student for all general education and other school funding formulas."

Page 1, after line 9, insert:

"Page 115, lines 25 and 26, delete "92,959,000" and insert "70,709,000"

Page 115, after line 30, insert:

"Subd. 4. **Mixed delivery prekindergarten programs.** (a) For mixed delivery voluntary prekindergarten programs under Minnesota Statutes, section 124D.151, and school readiness plus programs under Laws 2017, First Special Session chapter 5, article 8, section 9:

\$	<u>19,000,000</u>	<u>2020</u>
\$	<u>25,500,000</u>	<u>2021</u>

(b) Notwithstanding Minnesota Statutes, section 127A.45, 100 percent of the aid attributable to pupils funded under this subdivision must be paid in the current year.

(c) Notwithstanding the participation limit under Minnesota Statutes, section 124D.151, subdivision 6, the commissioner must estimate the number of mixed delivery seats funded by the amounts appropriated in this subdivision and allocate seats as provided under Minnesota Statutes, section 124D.151, subdivision 5.

(d) The commissioner must proportionately allocate the amounts appropriated in this subdivision among each education funding program affected by the enrollment of mixed delivery system prekindergarten pupils funded under this subdivision.

(e) Notwithstanding Minnesota Statutes, section 126C.05, subdivision 3, mixed delivery system prekindergarten pupils funded under this subdivision must not be counted for the purpose of calculating compensatory education revenue or alternative teacher compensation revenue in fiscal year 2022.

(f) In each of fiscal year 2020 and fiscal year 2021, the commissioner of education must estimate the amount of each school district's levy attributable to pupils funded under this subdivision and reduce the district's operating capital levy by that amount. The amount of each district's current year operating capital aid payment must be increased by an equal amount.

(g) The base for fiscal year 2022 is zero."

Renumber the subdivisions in sequence"

The question was taken on the adoption of the Kent amendment to the Kent amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Kent withdrew her first amendment.

Senator Latz moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 48, after line 5, insert:

"Sec. 32. Minnesota Statutes 2018, section 124E.22, is amended to read:

124E.22 BUILDING LEASE AID.

(a) When a charter school finds it economically advantageous to rent or lease a building or land for any instructional purpose and it determines that the total operating capital revenue under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the commissioner for building lease aid. The commissioner must review and either approve or deny a lease aid application using the following criteria:

- (1) the reasonableness of the price based on current market values;
- (2) the extent to which the lease conforms to applicable state laws and rules; and

(3) the appropriateness of the proposed lease in the context of the space needs and financial circumstances of the charter school. The commissioner must approve aid only for a facility lease that has (i) a sum certain annual cost and (ii) a closure clause to relieve the charter school of its lease obligations at the time the charter contract is terminated or not renewed. The closure clause under item (ii) must not be constructed or construed to relieve the charter school of its lease obligations in effect before the charter contract is terminated or not renewed.

(b) A charter school must not use the building lease aid it receives for custodial, maintenance service, utility, or other operating costs.

(c) The amount of annual building lease aid for a charter school shall not exceed the lesser of (1) 90 percent of the approved cost or (2) the product of the charter school building lease aid pupil units served for the current school year times \$1,314.

(d) A charter school's building lease aid pupil units equals the sum of the charter school pupil units under section 126C.05 and the pupil units for the portion of the day that the charter school's enrolled students are participating in the Postsecondary Enrollment Options Act under section 124D.09 and not otherwise included in the pupil count under section 126C.05.

(e) The commissioner must limit the state aid entitlement under this section to \$83,395,000 in fiscal year 2020, \$89,364,000 in fiscal year 2021, \$95,491,000 in fiscal year 2022, and \$101,561,000 in fiscal year 2023 and later. If the actual state aid entitlement based on final data exceeds the limit in any year, each charter school's building lease aid must be prorated as not to exceed the limit.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2020 and later."

Page 56, line 21, delete "85,279,000" and insert "83,077,000"

Page 56, line 22, delete "90,843,000" and insert "88,767,000"

Page 56, line 23, delete "77,258,000" and insert "75,056,000"

Page 56, line 24, delete "8,584,000" and insert "8,339,000" and delete "82,257,000" and insert "80,428,000"

Page 118, after line 7, insert:

"Sec. 2. Minnesota Statutes 2018, section 124D.20, subdivision 3, is amended to read:

Subd. 3. **General community education revenue.** The general community education revenue for a district equals ~~\$5.23 for fiscal years 2005 and 2006 and \$5.42 for fiscal year 2007~~ \$7.67 for fiscal year 2020 and later, times the greater of 1,335 or the population of the district. The population of the district is determined according to section 275.14.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2020 and later."

Page 121, line 26, delete "330,000" and insert "1,409,000"

Page 121, line 27, delete "257,000" and insert "1,172,000"

Page 121, line 28, delete "290,000" and insert "1,369,000"

Page 121, line 29, delete "32,000" and insert "152,000" and delete "225,000" and insert "1,020,000"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Clausen moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 65, delete section 7 and insert:

"Sec. 7. Minnesota Statutes 2018, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional Educator Licensing and Standards Board or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) immoral character or conduct;
- (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) gross inefficiency or willful neglect of duty;
- (4) failure to meet licensure requirements; ~~or~~
- (5) fraud or misrepresentation in obtaining a license; or
- (6) engagement in any sexual conduct or contact with a student, such as intentional and inappropriate patting, touching, pinching, or other physical contact with a student that is sexually motivated.

The written complaint must specify the nature and character of the charges.

(b) The Professional Educator Licensing and Standards Board or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of:

- (1) child abuse, as defined in section 609.185;
- (2) sex trafficking in the first degree under section 609.322, subdivision 1;
- (3) sex trafficking in the second degree under section 609.322, subdivision 1a;
- (4) engaging in hiring; or agreeing to hire a minor to engage in prostitution, or housing an unrelated minor engaged in prostitution under section 609.324, ~~subdivision~~ subdivisions 1; or 1a;
- (5) criminal sexual abuse conduct under section 609.342, 609.343, 609.344, 609.345, or 609.3451, subdivision 3; ~~or;~~
- (6) indecent exposure under section 617.23, ~~subdivision~~ subdivisions 2 and 3;

(7) solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352;²

(8) interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor;²

(9) using minors in a sexual performance under section 617.246;²

(10) possessing pornographic works involving a minor under section 617.247;² or

(11) any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual abuse is reversed by a final decision of the court of appeals or the supreme court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

(d) The Professional Educator Licensing and Standards Board or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, must refuse to issue, refuse to renew, or automatically revoke a teacher's license if the teacher has engaged in sexual penetration as defined in section 609.321, subdivision 11, with a student enrolled in a school where the teacher works or volunteers.

(e) The Professional Educator Licensing and Standards Board or the Board of School Administrators, whichever has jurisdiction over a teacher's licensure, must review and may refuse to issue, refuse to renew, or revoke a teacher's license to teach upon receiving a certified copy of a conviction showing that the teacher has been convicted of:

(1) a qualified, domestic violence-related offense as defined in section 609.02, subdivision 16;

(2) embezzlement of public funds under section 609.54, clause (1) or (2); or

(3) a felony involving a minor as the victim.

If an offense included in clause (1), (2), or (3) is already included in paragraph (b), the provisions of paragraph (b) apply to the conduct.

(f) Section 122A.188 does not apply to a decision by the board to refuse to issue, refuse to renew, or revoke a license under this subdivision. A person whose license has been revoked, not

issued, or not renewed under this subdivision may appeal the decision by filing a written request with the Professional Educator Licensing and Standards Board or the Board of School Administrators, as appropriate, within 30 days of notice of the licensing action. The board must then initiate a contested case under the Administrative Procedure Act, sections 14.001 to 14.69.

(g) The Professional Educator Licensing and Standards Board or the Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may suspend a teacher's license pending an investigation into a report of conduct that would be grounds for revocation under paragraph (b), (d), or (e). The teacher's license is suspended until the licensing board completes its disciplinary investigation and determines whether disciplinary action is necessary.

~~(g)~~ (h) For purposes of this subdivision, the Professional Educator Licensing and Standards Board is delegated the authority to suspend or revoke coaching licenses.

Sec. 8. Minnesota Statutes 2018, section 122A.20, subdivision 2, is amended to read:

Subd. 2. **Mandatory reporting.** (a) A school board, superintendent, charter school board, charter school executive director, or charter school authorizer must report to the Professional Educator Licensing and Standards Board, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5); 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board, administrator, or authorizer must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board, charter school, authorizer, charter school executive director, or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

(b) The licensing board to which a report is made must transmit to the Attorney General's Office any record or data it receives under this subdivision for the sole purpose of having the Attorney

General's Office assist that board in its investigation. When the Attorney General's Office has informed an employee of the appropriate licensing board in writing that grounds exist to suspend or revoke a teacher's license to teach, that licensing board must consider suspending or revoking or decline to suspend or revoke the teacher's or administrator's license within 45 days of receiving a stipulation executed by the teacher or administrator under investigation or a recommendation from an administrative law judge that disciplinary action be taken.

(c) The Professional Educator Licensing and Standards Board and Board of School Administrators must report to the appropriate law enforcement authorities a revocation, suspension, or agreement involving a loss of license, relating to a teacher or administrator's inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement authority" means a police department, county sheriff, or tribal police department. A report by the Professional Educator Licensing and Standards Board to appropriate law enforcement authorities does not diminish, modify, or otherwise affect the responsibilities of a school board or any person mandated to report abuse under section 626.556."

Page 96, after line 23, insert:

"Sec. 12. Minnesota Statutes 2018, section 626.556, subdivision 10, is amended to read:

Subd. 10. Duties of local welfare agency and local law enforcement agency upon receipt of report; mandatory notification between police or sheriff and agency. (a) The police department or the county sheriff shall immediately notify the local welfare agency or agency responsible for child protection reports under this section orally and in writing when a report is received. The local welfare agency or agency responsible for child protection reports shall immediately notify the local police department or the county sheriff orally and in writing when a report is received. The county sheriff and the head of every local welfare agency, agency responsible for child protection reports, and police department shall each designate a person within their agency, department, or office who is responsible for ensuring that the notification duties of this paragraph are carried out. When the alleged maltreatment occurred on tribal land, the local welfare agency or agency responsible for child protection reports and the local police department or the county sheriff shall immediately notify the tribe's social services agency and tribal law enforcement orally and in writing when a report is received. When a police department or county sheriff determines that a child has been the subject of physical abuse, sexual abuse, or neglect by a person licensed by the Professional Educator Licensing and Standards Board or the Board of School Administrators, the department or sheriff shall, in addition to its other duties under this section, immediately inform the licensing board.

(b) Upon receipt of a report, the local welfare agency shall determine whether to conduct a family assessment or an investigation as appropriate to prevent or provide a remedy for child maltreatment. The local welfare agency:

(1) shall conduct an investigation on reports involving sexual abuse or substantial child endangerment;

(2) shall begin an immediate investigation if, at any time when it is using a family assessment response, it determines that there is reason to believe that sexual abuse or substantial child endangerment or a serious threat to the child's safety exists;

(3) may conduct a family assessment for reports that do not allege sexual abuse or substantial child endangerment. In determining that a family assessment is appropriate, the local welfare agency may consider issues of child safety, parental cooperation, and the need for an immediate response;

(4) may conduct a family assessment on a report that was initially screened and assigned for an investigation. In determining that a complete investigation is not required, the local welfare agency must document the reason for terminating the investigation and notify the local law enforcement agency if the local law enforcement agency is conducting a joint investigation; and

(5) shall provide immediate notice, according to section 260.761, subdivision 2, to an Indian child's tribe when the agency has reason to believe the family assessment or investigation may involve an Indian child. For purposes of this clause, "immediate notice" means notice provided within 24 hours.

If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or individual functioning within the family unit as a person responsible for the child's care, or sexual abuse by a person with a significant relationship to the child when that person resides in the child's household or by a sibling, the local welfare agency shall immediately conduct a family assessment or investigation as identified in clauses (1) to (4). In conducting a family assessment or investigation, the local welfare agency shall gather information on the existence of substance abuse and domestic violence and offer services for purposes of preventing future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected minor, and supporting and preserving family life whenever possible. If the report alleges a violation of a criminal statute involving sexual abuse, physical abuse, or neglect or endangerment, under section 609.378, the local law enforcement agency and local welfare agency shall coordinate the planning and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews. Each agency shall prepare a separate report of the results of its investigation or assessment. In cases of alleged child maltreatment resulting in death, the local agency may rely on the fact-finding efforts of a law enforcement investigation to make a determination of whether or not maltreatment occurred. When necessary the local welfare agency shall seek authority to remove the child from the custody of a parent, guardian, or adult with whom the child is living. In performing any of these duties, the local welfare agency shall maintain appropriate records.

If the family assessment or investigation indicates there is a potential for abuse of alcohol or other drugs by the parent, guardian, or person responsible for the child's care, the local welfare agency shall conduct a chemical use assessment pursuant to Minnesota Rules, part 9530.6615.

(c) When a local agency receives a report or otherwise has information indicating that a child who is a client, as defined in section 245.91, has been the subject of physical abuse, sexual abuse, or neglect at an agency, facility, or program as defined in section 245.91, it shall, in addition to its other duties under this section, immediately inform the ombudsman established under sections 245.91 to 245.97. The commissioner of education shall inform the ombudsman established under sections 245.91 to 245.97 of reports regarding a child defined as a client in section 245.91 that maltreatment occurred at a school as defined in section 120A.05, subdivisions 9, 11, and 13, and chapter 124E.

(d) Authority of the local welfare agency responsible for assessing or investigating the child abuse or neglect report, the agency responsible for assessing or investigating the report, and of the

local law enforcement agency for investigating the alleged abuse or neglect includes, but is not limited to, authority to interview, without parental consent, the alleged victim and any other minors who currently reside with or who have resided with the alleged offender. The interview may take place at school or at any facility or other place where the alleged victim or other minors might be found or the child may be transported to, and the interview conducted at, a place appropriate for the interview of a child designated by the local welfare agency or law enforcement agency. The interview may take place outside the presence of the alleged offender or parent, legal custodian, guardian, or school official. For family assessments, it is the preferred practice to request a parent or guardian's permission to interview the child prior to conducting the child interview, unless doing so would compromise the safety assessment. Except as provided in this paragraph, the parent, legal custodian, or guardian shall be notified by the responsible local welfare or law enforcement agency no later than the conclusion of the investigation or assessment that this interview has occurred. Notwithstanding rule 32 of the Minnesota Rules of Procedure for Juvenile Courts, the juvenile court may, after hearing on an ex parte motion by the local welfare agency, order that, where reasonable cause exists, the agency withhold notification of this interview from the parent, legal custodian, or guardian. If the interview took place or is to take place on school property, the order shall specify that school officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school property, as provided under this paragraph, and any other related information regarding the interview that may be a part of the child's school record. A copy of the order shall be sent by the local welfare or law enforcement agency to the appropriate school official.

(e) When the local welfare, local law enforcement agency, or the agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property. For interviews conducted by the local welfare agency, the notification shall be signed by the chair of the local social services agency or the chair's designee. The notification shall be private data on individuals subject to the provisions of this paragraph. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless a school employee or agent is alleged to have maltreated the child. Until that time, the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosures regarding the nature of the assessment or investigation.

Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Where the school fails to comply with the provisions of this paragraph, the juvenile court may order the school to comply. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school staff when an interview is conducted on school premises.

(f) Where the alleged offender or a person responsible for the care of the alleged victim or other minor prevents access to the victim or other minor by the local welfare agency, the juvenile court may order the parents, legal custodian, or guardian to produce the alleged victim or other minor for questioning by the local welfare agency or the local law enforcement agency outside the presence of the alleged offender or any person responsible for the child's care at reasonable places and times as specified by court order.

(g) Before making an order under paragraph (f), the court shall issue an order to show cause, either upon its own motion or upon a verified petition, specifying the basis for the requested interviews and fixing the time and place of the hearing. The order to show cause shall be served personally and shall be heard in the same manner as provided in other cases in the juvenile court. The court shall consider the need for appointment of a guardian ad litem to protect the best interests of the child. If appointed, the guardian ad litem shall be present at the hearing on the order to show cause.

(h) The commissioner of human services, the ombudsman for mental health and developmental disabilities, the local welfare agencies responsible for investigating reports, the commissioner of education, and the local law enforcement agencies have the right to enter facilities as defined in subdivision 2 and to inspect and copy the facility's records, including medical records, as part of the investigation. Notwithstanding the provisions of chapter 13, they also have the right to inform the facility under investigation that they are conducting an investigation, to disclose to the facility the names of the individuals under investigation for abusing or neglecting a child, and to provide the facility with a copy of the report and the investigative findings.

(i) The local welfare agency responsible for conducting a family assessment or investigation shall collect available and relevant information to determine child safety, risk of subsequent child maltreatment, and family strengths and needs and share not public information with an Indian's tribal social services agency without violating any law of the state that may otherwise impose duties of confidentiality on the local welfare agency in order to implement the tribal state agreement. The local welfare agency or the agency responsible for investigating the report shall collect available and relevant information to ascertain whether maltreatment occurred and whether protective services are needed. Information collected includes, when relevant, information with regard to the person reporting the alleged maltreatment, including the nature of the reporter's relationship to the child and to the alleged offender, and the basis of the reporter's knowledge for the report; the child allegedly being maltreated; the alleged offender; the child's caretaker; and other collateral sources having relevant information related to the alleged maltreatment. The local welfare agency or the agency responsible for investigating the report may make a determination of no maltreatment early in an investigation, and close the case and retain immunity, if the collected information shows no basis for a full investigation.

Information relevant to the assessment or investigation must be asked for, and may include:

(1) the child's sex and age; prior reports of maltreatment, including any maltreatment reports that were screened out and not accepted for assessment or investigation; information relating to developmental functioning; credibility of the child's statement; and whether the information provided under this clause is consistent with other information collected during the course of the assessment or investigation;

(2) the alleged offender's age, a record check for prior reports of maltreatment, and criminal charges and convictions. The local welfare agency or the agency responsible for assessing or investigating the report must provide the alleged offender with an opportunity to make a statement. The alleged offender may submit supporting documentation relevant to the assessment or investigation;

(3) collateral source information regarding the alleged maltreatment and care of the child. Collateral information includes, when relevant: (i) a medical examination of the child; (ii) prior medical records relating to the alleged maltreatment or the care of the child maintained by any facility, clinic, or health care professional and an interview with the treating professionals; and (iii) interviews with the child's caretakers, including the child's parent, guardian, foster parent, child care provider, teachers, counselors, family members, relatives, and other persons who may have knowledge regarding the alleged maltreatment and the care of the child; and

(4) information on the existence of domestic abuse and violence in the home of the child, and substance abuse.

Nothing in this paragraph precludes the local welfare agency, the local law enforcement agency, or the agency responsible for assessing or investigating the report from collecting other relevant information necessary to conduct the assessment or investigation. Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare agency has access to medical data and records for purposes of clause (3). Notwithstanding the data's classification in the possession of any other agency, data acquired by the local welfare agency or the agency responsible for assessing or investigating the report during the course of the assessment or investigation are private data on individuals and must be maintained in accordance with subdivision 11. Data of the commissioner of education collected or maintained during and for the purpose of an investigation of alleged maltreatment in a school are governed by this section, notwithstanding the data's classification as educational, licensing, or personnel data under chapter 13.

In conducting an assessment or investigation involving a school facility as defined in subdivision 2, paragraph (c), the commissioner of education shall collect investigative reports and data that are relevant to a report of maltreatment and are from local law enforcement and the school facility.

(j) Upon receipt of a report, the local welfare agency shall conduct a face-to-face contact with the child reported to be maltreated and with the child's primary caregiver sufficient to complete a safety assessment and ensure the immediate safety of the child. The face-to-face contact with the child and primary caregiver shall occur immediately if sexual abuse or substantial child endangerment is alleged and within five calendar days for all other reports. If the alleged offender was not already interviewed as the primary caregiver, the local welfare agency shall also conduct a face-to-face interview with the alleged offender in the early stages of the assessment or investigation. At the initial contact, the local child welfare agency or the agency responsible for assessing or investigating the report must inform the alleged offender of the complaints or allegations made against the individual in a manner consistent with laws protecting the rights of the person who made the report. The interview with the alleged offender may be postponed if it would jeopardize an active law enforcement investigation.

(k) When conducting an investigation, the local welfare agency shall use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses.

For investigations only, the following interviewing methods and procedures must be used whenever possible when collecting information:

(1) audio recordings of all interviews with witnesses and collateral sources; and

(2) in cases of alleged sexual abuse, audio-video recordings of each interview with the alleged victim and child witnesses.

(l) In conducting an assessment or investigation involving a school facility as defined in subdivision 2, paragraph (c), the commissioner of education shall collect available and relevant information and use the procedures in paragraphs (j) and (k), and subdivision 3d, except that the requirement for face-to-face observation of the child and face-to-face interview of the alleged offender is to occur in the initial stages of the assessment or investigation provided that the commissioner may also base the assessment or investigation on investigative reports and data received from the school facility and local law enforcement, to the extent those investigations satisfy the requirements of paragraphs (j) and (k), and subdivision 3d."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend the first Nelson amendment to H.F. No. 2400, adopted by the Senate May 1, 2019, as follows:

Page 2, after line 24, insert:

"The notice, or any other school communication, must not advocate in favor of or against passage of the referendum."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 44 and nays 23, as follows:

Those who voted in the affirmative were:

Abeler	Dziedzic	Jasinski	Miller	Ruud
Anderson, B.	Eichorn	Jensen	Nelson	Senjem
Anderson, P.	Eken	Johnson	Newman	Sparks
Bakk	Gazelka	Kiffmeyer	Osmek	Tomassoni
Benson	Goggin	Koran	Pratt	Utke
Chamberlain	Hall	Lang	Rarick	Weber
Champion	Housley	Latz	Relph	Westrom
Dahms	Howe	Limmer	Rest	Wiger
Draheim	Ingebrigtsen	Mathews	Rosen	

Those who voted in the negative were:

Bigham	Dibble	Hayden	Laine	Simonson
Carlson	Eaton	Hoffman	Little	Torres Ray
Clausen	Franzen	Isaacson	Marty	Wiklund
Cohen	Frentz	Kent	Newton	
Cwodzinski	Hawj	Klein	Pappas	

The motion prevailed. So the amendment was adopted.

Senator Wiklund moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 18, after line 3, insert:

"Sec. 24. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10, subdivision 1, may be increased in the amount approved by the voters of the district at a referendum called for the purpose. The referendum may be called by the board. The referendum must be conducted one or two calendar years before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. Unless the referendum is conducted by mail under subdivision 11, paragraph (a), the referendum must be held on the first Tuesday after the first Monday in November. The ballot must state the maximum amount of the increased revenue per adjusted pupil unit. The ballot may state a schedule, determined by the board, of increased revenue per adjusted pupil unit that differs from year to year over the number of years for which the increased revenue is authorized or may state that the amount shall increase annually by the rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum levy authority is expiring. In this case, the ballot may also compare the proposed levy authority to the existing expiring levy authority, and express the proposed increase as the amount, if any, over the expiring referendum levy authority. The ballot must designate the specific number of years, not to exceed ten, for which the referendum authorization applies, and may state that the referendum may be renewed by school board resolution subject to a reverse referendum. The ballot, including a ballot on the question to revoke or reduce the increased revenue amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per pupil." The notice required under section 275.60 may be modified to read, in cases of renewing existing levies at the same amount per pupil as in the previous year:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED TO EXPIRE."

The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of, School District No. ..., be approved?"

If approved, an amount equal to the approved revenue per adjusted pupil unit times the adjusted pupil units for the school year beginning in the year after the levy is certified shall be authorized for certification for the number of years approved, if applicable, or until revoked or reduced by the voters of the district at a subsequent referendum.

(b) The board must deliver by mail at least 15 days but no more than 30 days before the day of the referendum to each taxpayer a notice of the referendum and the proposed revenue increase. The

board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the school district.

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum extends an existing operating referendum at the same amount per pupil as in the previous year."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke or reduce the revenue amount must state the amount per adjusted pupil unit by which the authority is to be reduced. Revenue authority approved by the voters of the district pursuant to paragraph (a) must be available to the school district at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

Sec. 25. Minnesota Statutes 2018, section 126C.17, is amended by adding a subdivision to read:

Subd. 9b. **Renewal by school board.** (a) Notwithstanding the election requirements of subdivision 9, a school board may renew an expiring referendum approved by the voters after July 1, 2019, by board action if:

(1) the ballot for the expiring referendum included a statement that the referendum may be renewed by school board resolution subject to a reverse referendum;

(2) the per-pupil amount of the referendum is the same as the amount expiring or, for an expiring referendum that was adjusted annually by the rate of inflation, the same as the per-pupil amount of

the expiring referendum, adjusted annually for inflation in the same manner as if the expiring referendum had continued;

(3) the term of the renewed referendum is no longer than the initial term approved by the voters; and

(4) the school board has adopted a written resolution authorizing the renewal after holding a meeting and allowing public testimony on the proposed renewal.

(b) The resolution must be adopted by the school board by June 15 and becomes effective 60 days after its adoption.

(c) A referendum expires at the end of the last fiscal year in which the referendum generates revenue for the school district. A school board may renew an expiring referendum under this subdivision not more than two fiscal years before the referendum expires.

(d) A district renewing an expiring referendum under this subdivision must submit a copy of the adopted resolution to the commissioner and to the county auditor no later than September 1 of the calendar year in which the levy is certified.

Sec. 26. Minnesota Statutes 2018, section 126C.17, is amended by adding a subdivision to read:

Subd. 14. **Reverse referendum.** (a) For purposes of this subdivision, "board-renewed referendum authority" means referendum authority renewed by the school board.

(b) A referendum on the question of revoking board-renewed referendum authority under subdivision 9b shall be called by the board upon written petition of qualified voters of the district. A referendum to revoke a district's board-renewed referendum authority must state the authority to be revoked in total and per pupil unit. A revocation referendum may be held to revoke board-renewed referendum authority for the subsequent fiscal year and for years thereafter.

(c) A petition authorized by this subdivision is effective if:

(1) signed by more than 25 percent of the registered voters of the district on the day the petition is filed with the board; and

(2) filed with the board by June 1 of that year.

A referendum invoked by petition must be held on the date required in subdivision 9.

(d) The approval of more than 50 percent of those voting on the question is required to revoke board-renewed referendum authority."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Torres Ray moved to amend H.F. No. 2400, as amended pursuant to Rule 45, adopted by the Senate April 25, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 7.)

Page 71, after line 29, insert:

"Sec. 17. [122A.77] GROW YOUR OWN PATHWAYS TO TEACHER LICENSURE GRANTS.

Subdivision 1. **Purpose.** Grants awarded under this section are for school districts and charter schools throughout Minnesota to develop or expand Grow Your Own teacher programs.

Subd. 2. **Definition.** For purposes of this section, "Grow Your Own programs" means programs within schools, districts, or communities in partnership with Professional Educator Licensing and Standards Board-approved teacher preparation programs and often with community-based organizations designed to provide a pathway to teaching at any level from early childhood to secondary school for paraprofessionals, cultural liaisons, other nonlicensed employees, secondary school students, parents, or members of the local communities served by the school or district.

Subd. 3. **Nonconventional teacher residency programs.** (a) A school district, charter school, or cooperative may apply for a grant under this section to fund established and effective Professional Educator Licensing and Standards Board-approved nonconventional teacher residency programs. The program must provide tuition scholarships or stipends to enable school district and charter school employees or community members seeking a teaching license who are of color or American Indian to participate in a nonconventional teacher preparation program. If extra awarded grant funds are available, districts and schools may use remaining grant funds to provide tuition scholarships to employees who are not persons of color or American Indian if they are seeking to teach in a licensure area that is identified by the board as experiencing a shortage within the economic development region where the district or school is located.

(b) A school district and charter school that receives funds under this section must have a program to recruit and retain candidates of color or American Indian candidates so that at least 50 percent of those who participate in the residency programs are persons of color or American Indian. Priority for awarding grants must be given to programs with the highest total numbers and percentages of participants who are of color or American Indian and those that have a percentage of participants who are of color or American Indian that meets or exceeds the overall percentage of students of color or American Indian students in the district, school, or cooperative.

(c) A school district or charter school providing financial support to new teacher candidates under this section may require a commitment from the candidates, as determined by each district or school, to teach in the district or school for a reasonable amount of time not to exceed five years.

Subd. 4. **Expanded Grow Your Own programs.** (a) A school district, charter school, or a cooperative, as defined in section 123A.21, may apply for a grant under this section to provide financial assistance, mentoring, and other experiences to enable persons who are of color or who are American Indian to become teachers.

(b) Grants awarded must be used for:

(1) tuition scholarships or stipends to eligible teaching assistants, cultural liaisons, or other nonlicensed employees who are of color or who are American Indian and are enrolled in any Professional Educator Licensing and Standards Board-approved teacher preparation program;

(2) developing and implementing innovative school-based residency programs or other types of programs emphasizing clinical experiences in any district, cooperative, or charter school for nonlicensed employees who are of color or who are American Indian seeking a teaching license in collaboration with a conventional or nonconventional Professional Educator Licensing and Standards Board-approved program;

(3) developing pathway programs that provide stipends and tuition scholarships to parents and community members who are of color or who are American Indian to change careers and obtain a Tier 3 license to teach in schools; or

(4) developing innovative programs that encourage secondary school students to pursue teaching, including developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses consistent with section 124D.09, subdivision 10, and supporting future teacher clubs involving middle and high school students who are of color or who are American Indian to have experiential learning supporting the success of younger students or peers and to increase their interest in pursuing a teaching career.

(c) School districts and charter schools providing financial assistance to individuals under this section may require a commitment from the individuals, as determined by each district or school, to teach in the district or school for a reasonable amount of time not to exceed five years.

Subd. 5. **Grant procedure.** (a) A school district, charter school, or cooperative must apply for a grant under this section in the form and manner specified by the commissioner of education. To be eligible, grant recipients must ensure that the percentage of participants who are of color or American Indian is at least equivalent to the percentage of students who are of color or American Indian enrolled in the district, school, cooperative, or program. Where a majority of students are of

color or American Indian, then a majority of those who participate in the program must be persons of color or American Indian. Priority for awarding grants must be given to programs with the highest total numbers and percentages of participants who are of color or American Indian and those that combine state grant funds with district or other funding sources.

(b) For the 2019-2020 school year only, the commissioner must review all applications by existing programs for continuing grants by August 1, 2019, and must notify grant recipients of the amount of the grants awarded by August 15, 2019.

(c) For the 2020-2021 school year and later, grant applications for new and existing programs must be received by the commissioner no later than December 1 of the year prior to the school year in which the grant will be used. The commissioner must review all applications and notify grant recipients by February 1 of the amount awarded.

(d) Grant recipients must spend any amounts received under this section within 18 months of receiving the grant money.

Subd. 6. **Report.** A program receiving a grant must annually report to the commissioner of education by the date determined by the commissioner on their activities under this section, including the number of participants, the percentage of participants who are of color or who are American Indian, and an assessment of program effectiveness, including participant feedback, areas for improvement, the percentage of participants continuing to pursue teacher licensure, and the number of participants hired in the school or district as teachers after completing preparation programs. The department must also publish a report for the public that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients."

Page 73, delete section 21 and insert:

"Sec. 22. **ACCOUNTABILITY REPORT.**

Beginning in 2019 and every odd-numbered year thereafter, the Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to collate and summarize reports from the programs they each administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The board must report on the effectiveness of state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. By October 1 of each odd-numbered year, the board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance. The report must be available to the public on the board's website."

Page 74, delete lines 26 to 33

Page 75, delete lines 1 to 13

Page 75, line 14, delete "(e)" and insert "(b)"

Page 75, line 16, delete "(f)" and insert "(c)"

Page 75, line 24, after "For" insert "transfer to the Professional Educator Licensing and Standards Board for"

Page 75, delete lines 27 to 33 and insert:

"(b) The Professional Educator Licensing and Standards Board must award grants to maximize the number of teacher candidates who are of color or are American Indian and who are well-prepared to enter the profession with Tier 3 licensure and to support the development and learning of children and youth from early childhood through grade 12. Grants must only be awarded to institutions offering teacher preparation programs approved by the Professional Educator Licensing and Standards Board. Grants must be awarded based on:

(1) the number of teacher candidates being supported in the program who are of color or who are American Indian;

(2) program outcomes, including graduation or program completion rates, licensure rates, and placement rates, and, for each outcome measure, the number of those teacher candidates who are of color or who are American Indian; and

(3) the percent of racially and ethnically diverse teacher candidates participating at the institution compared to:

(i) the total percent of students of color and American Indian students enrolled at the institution, regardless of major; and

(ii) the percent of underrepresented racially and ethnically diverse teachers in the economic development region of the state where the institution is located and where a shortage of diverse teachers exists, as reported under section 127A.05, subdivision 6.

Competitive continuing grants under this subdivision must be given to sustain and strengthen existing programs at institutions that have received program grants in the past and have demonstrated continuing success at recruiting, retaining, graduating, and inducting teacher candidates who are of color or who are American Indian.

Award amounts for maintenance and expansion of programs must be determined by the board based on the number of candidates supported, sustaining support for those candidates, and the funds available.

Development of new, innovative programs must be awarded competitive grants under this subdivision as determined by the board, and subsequent funding must be determined based on the same criteria for continuing grants.

(c) The Professional Educator Licensing and 10.22 Standards Board may enter in an interagency agreement with the Office of Higher Education, including a transfer of funds to the Office of Higher Education, to help establish and administer the competitive grant process. The board must award grants to both public and private institutions as well as institutions located in various economic development regions throughout the state, but must not predetermine the number of institutions to be awarded grants under this section or set a limit for the amount that any one institution may receive as part of the competitive grant application process. All grants must be awarded by August 15 of

the fiscal year in which the grants are to be used except that, for initial competitive grants awarded for fiscal year 2020, grants must be awarded by September 15. Grant money may be used over a two- to four-year period to support teacher candidates.

(d) A collaborative urban and greater Minnesota educator of color account is created in the special revenue fund for depositing money appropriated to or received by the board for the program. Money deposited in the account is appropriated to the board, does not cancel, and is continuously available for grants under this section.

(e) By January 15 of each year, each institution awarded a grant under this section must prepare for the legislature and the board a detailed report regarding the funds used to recruit, retain, and induct teacher candidates who are of color or who are American Indian. The report must include the total number of teacher candidates of color, disaggregated by race or ethnic group, who are recruited to the institution, are newly admitted to the licensure program, are enrolled in the licensure program, have completed student teaching, have graduated, are licensed, and are newly employed as Minnesota teachers in their licensure field. The total number of teacher candidates who are of color or who are American Indian at each stage from recruitment to licensed teaching must be reported as a percentage of total candidates seeking the same licensure at the institution. The board must also publish a report for the public that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients."

Page 76, delete lines 1 to 13

Page 77, after line 12, insert:

"Sec. 25. **REVISOR INSTRUCTION.**

The revisor must codify section 22, subdivision 7, as section 122A.78, in subsequent editions of Minnesota Statutes."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Dahms	Goggin	Ingebrigtsen	Kiffmeyer
Anderson, B.	Draheim	Hall	Jasinski	Koran
Benson	Eichorn	Housley	Jensen	Lang
Chamberlain	Gazelka	Howe	Johnson	Limmer

Mathews	Newman	Rarick	Ruud	Weber
Miller	Osmek	Relph	Senjem	Westrom
Nelson	Pratt	Rosen	Utke	

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

H.F. No. 2400 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 37 and nays 30, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

RECESS

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

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

CALL OF THE SENATE

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

APPOINTMENTS

Senator Gazelka from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2414: Senators Benson, Abeler, Utke, Jensen, and Marty.

H.F. No. 2125: Senators Chamberlain, Senjem, Dahms, Howe, and Rest.

H.F. No. 2208: Senators Pratt, Dahms, Osmek, Housley, and Simonson.

S.F. No. 2226: Senators Westrom, Weber, Goggin, Draheim, and Dziedzic.

S.F. No. 802: Senators Limmer; Anderson, B.; Johnson; Lang; and Latz.

S.F. No. 2415: Senators Anderson, P.; Draheim; Jensen; Relph; and Clausen.

S.F. No. 2314: Senators Ingebrigtsen, Ruud, Eichorn, Johnson, and Tomassoni.

S.F. No. 2227: Senators Kiffmeyer; Anderson, B.; Koran; Mathews; and Carlson.

Senator Gazelka moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 1555: A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation, Metropolitan Council, and Department of Public Safety activities; modifying driver's licenses and identification cards; modifying motor vehicle taxes and fees; modifying various provisions governing transportation policy and finance; allocating certain sales and use tax revenue; establishing accounts; making technical changes; authorizing the sale and issuance of state bonds; requiring reports; amending Minnesota Statutes 2018, sections 13.461, by adding a subdivision; 13.6905, by adding a subdivision; 13.72, subdivision 10; 80E.13; 160.02, subdivision 1a; 160.262, subdivision 3; 160.263, subdivision 2; 160.266, subdivision 1b, by adding a subdivision; 161.115, subdivision 46; 161.14, subdivision 16, by adding subdivisions; 161.45, subdivision 2; 161.46, subdivision 2; 168.013, subdivisions 1a, 1m, 3, 6, 21; 168.10, subdivision 1h; 168.123, subdivision 2; 168.27, by adding subdivisions; 168.301, subdivision 3; 168.33, subdivisions 7, 8a; 168.346, subdivision 1; 168A.02, subdivision 1; 168A.085, by adding a subdivision; 168A.09, subdivision 1; 168A.12, subdivision 2; 168A.17, by adding a subdivision; 168A.29, subdivision 1; 169.011, subdivisions 5, 9, 64, by adding subdivisions; 169.035, by adding a subdivision; 169.06, subdivision 4a; 169.18, subdivisions 3, 8, 11; 169.20, subdivision 7; 169.222, subdivisions 1, 4; 169.26, subdivisions 1, 4; 169.28; 169.29; 169.443, subdivision 2; 169.4503, subdivision 5; 169.58, by adding a subdivision; 169.64, subdivision 9; 169.71, subdivisions 1, 4; 169.81, by adding a subdivision; 169.864; 169.865, subdivisions 1, 2, by adding a subdivision; 169.92, subdivision 4; 171.01, by adding subdivisions; 171.04, subdivision 5; 171.06, subdivisions 2, 3, by adding subdivisions; 171.061, subdivision 4; 171.07, subdivisions 1, 3, by adding a subdivision; 171.12, subdivisions 7a, 9, by adding subdivisions; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 174.01, subdivision 2; 174.03, subdivision 7, by adding subdivisions; 174.24, subdivision 2; 174.37; 174.57; 201.061, subdivision 3; 219.015, subdivisions 1, 2, by adding a subdivision; 219.1651; 221.031, by adding a subdivision; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.815, subdivision 3; 297A.94; 297A.99, subdivision 1; 297B.02, subdivision 1; 297B.09; 299A.12, subdivisions 1, 2, 3; 299A.13; 299A.14, subdivision 3; 299D.03, subdivision 5; 325F.185; 360.013, by adding subdivisions; 360.024; 360.55, by adding a subdivision; 360.59, subdivision 10; 360.62; 473.386, subdivision 3, by adding a subdivision; 473.388, subdivision 4a; 473.39, subdivision 6, by adding a subdivision; 473.391, by adding a subdivision; 473.4052, subdivision 4; 473.408, by adding a subdivision; 480.15, by adding a

subdivision; Laws 1994, chapter 643, section 15, subdivision 8; Laws 2014, chapter 312, article 11, section 38, subdivisions 5, 6; proposing coding for new law in Minnesota Statutes, chapters 161; 168; 168A; 169; 171; 174; 219; 297A; 360; repealing Minnesota Statutes 2018, sections 3.972, subdivision 4; 169.18, subdivision 12; 171.015, subdivision 7; 299A.12, subdivision 4; 299A.18; Laws 2002, chapter 393, section 85.

Senator Newman moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 18, after line 19, insert:

"Sec. 3. Minnesota Statutes 2018, section 3.9741, subdivision 5, is amended to read:

Subd. 5. **State data security; account, appropriation.** (a) The data security account is created in the special revenue fund. Money in the account is appropriated to the legislative auditor for the oversight purposes provided in paragraph (b).

(b) Subject to available funds appropriated under paragraph (a), the legislative auditor shall:

(1) review and audit the audit reports of subscribers and requesters submitted under section 168.327, subdivision 6, including producing findings and opinions;

(2) in collaboration with the commissioner and affected subscribers and requesters, recommend corrective action plans to remediate any deficiencies identified under clause (1); and

(3) review and audit driver records subscription services and bulk data practices of the Department of Public Safety, including identifying any deficiencies and making recommendations to the commissioner.

(c) The legislative auditor shall submit any reports, findings, and recommendations under this subdivision to the legislative commission on data practices."

Page 45, delete sections 40 and 41

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Little moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 32, delete sections 10 and 11

Page 33, lines 12 and 29, reinstate the stricken language and delete the new language

Page 34, delete section 14

Page 98, line 29, delete "subdivisions 2a and" and insert "subdivision"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

CALL OF THE SENATE

Senator Dibble imposed a call of the Senate for the balance of the proceedings on H.F. No. 1555. The Sergeant at Arms was instructed to bring in the absent members.

Senator Anderson, P. moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 50, after line 4, insert:

"Sec. 49. Minnesota Statutes 2018, section 169.011, subdivision 46, is amended to read:

Subd. 46. **Motorized foot scooter.** "Motorized foot scooter" means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two ~~12-inch~~ 16-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

EFFECTIVE DATE. This section is effective January 1, 2020."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Frenz moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 6, line 18, delete "1,052,295,000" and insert "1,046,400,000" and delete "999,282,000" and insert "993,387,000"

Page 8, line 13, delete "832,949,000" and insert "829,691,000" and delete "846,298,000" and insert "843,040,000"

Page 9, line 7, delete "208,516,000" and insert "207,660,000" and delete "211,528,000" and insert "210,672,000"

Page 71, after line 6, insert:

"Sec. 84. Minnesota Statutes 2018, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of management and budget shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit in the state treasury the revenues collected under section 297A.64, subdivision 1, including interest and penalties and minus refunds, and credit them to the highway user tax distribution fund.

(e) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit of revenues under paragraph (d), the commissioner shall deposit into the state treasury and credit to the highway user tax distribution fund an amount equal to the estimated revenues derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The commissioner shall estimate the amount of sales tax revenue deposited under this paragraph based on the amount of revenue deposited under paragraph (d).

(g) Starting after July 1, 2017, the commissioner shall deposit an amount of the remittances monthly into the state treasury and credit them to the highway user tax distribution fund as a portion of the estimated amount of taxes collected from the sale and purchase of motor vehicle repair parts in that month. For the remittances between July 1, 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in each subsequent fiscal year, the monthly deposit amount is ~~\$12,137,000~~ \$11,303,000. For purposes of this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph, "tire" means any tire of the type used on highway vehicles, if wholly or partially made of rubber and if marked according to federal regulations for highway use.

(h) 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

(i) The revenue dedicated under paragraph (h) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (h) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (h) must be allocated for field operations.

(j) The commissioner must deposit the revenues, including interest and penalties minus any refunds, derived from the sale of items regulated under section 624.20, subdivision 1, that may be sold to persons 18 years old or older and that are not prohibited from use by the general public under section 624.21, in the state treasury and credit:

- (1) 25 percent to the volunteer fire assistance grant account established under section 88.068;
- (2) 25 percent to the fire safety account established under section 297I.06, subdivision 3; and
- (3) the remainder to the general fund.

For purposes of this paragraph, the percentage of total sales and use tax revenue derived from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be sold to persons 18 years old or older and are not prohibited from use by the general public under section 624.21, is a set percentage of the total sales and use tax revenues collected in the state, with the percentage determined under Laws 2017, First Special Session chapter 1, article 3, section 39.

(k) The revenues deposited under paragraphs (a) to (j) do not include the revenues, including interest and penalties, generated by the sales tax imposed under section 297A.62, subdivision 1a, which must be deposited as provided under the Minnesota Constitution, article XI, section 15."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Frentz moved to amend the Frentz amendment to H.F. No. 1555 as follows:

Page 1, after line 3, insert:

"Page 4, delete lines 8 to 12 and insert:

"(b) Transit	<u>28,126,000</u>	<u>28,126,000</u>
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<u>Appropriations by Fund</u>		
	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>27,249,000</u>	<u>27,249,000</u>
<u>Trunk Highway</u>	<u>877,000</u>	<u>877,000"</u>

Correct the subdivision and section totals and the appropriations by fund"

The motion prevailed. So the amendment to the amendment was adopted.

Senator Newman moved to amend the first Frentz amendment to H.F. No. 1555 as follows:

Page 1, delete lines 4 to 31 and insert:

"Page 12, line 33, delete "89,820,000" and insert "79,820,000" and delete "89,820,000" and insert "79,820,000""

Page 2, delete lines 1 to 34

Page 3, delete lines 1 to 33

Page 4, delete lines 1 to 8

The question was taken on the adoption of the Newman amendment to the first Frentz amendment.

The roll was called, and there were yeas 36 and nays 31, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, P.	Cwodzinski	Hawj	Little	Torres Ray
Bakk	Dibble	Hayden	Marty	Wiger
Bigham	Dziedzic	Isaacson	Newton	Wiklund
Carlson	Eaton	Kent	Pappas	
Champion	Franzen	Klein	Pratt	
Clausen	Frentz	Laine	Rest	
Cohen	Hall	Latz	Simonson	

The motion prevailed. So the amendment to the amendment was adopted.

Senator Frentz withdrew his first amendment.

Senator Frentz moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 6, line 18, delete "1,052,295,000" and insert "1,052,267,000" and delete "999,282,000" and insert "999,254,000"

Page 8, line 13, delete "832,949,000" and insert "832,933,000" and delete "846,298,000" and insert "846,282,000"

Page 9, line 7, delete "208,516,000" and insert "208,512,000" and delete "211,528,000" and insert "211,524,000"

Page 71, after line 6, insert:

"Sec. 84. Minnesota Statutes 2018, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of management and budget shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit in the state treasury the revenues collected under section 297A.64, subdivision 1, including interest and penalties and minus refunds, and credit them to the highway user tax distribution fund.

(e) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an

amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit of revenues under paragraph (d), the commissioner shall deposit into the state treasury and credit to the highway user tax distribution fund an amount equal to the estimated revenues derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The commissioner shall estimate the amount of sales tax revenue deposited under this paragraph based on the amount of revenue deposited under paragraph (d).

(g) Starting after July 1, 2017, the commissioner shall deposit an amount of the remittances monthly into the state treasury and credit them to the highway user tax distribution fund as a portion of the estimated amount of taxes collected from the sale and purchase of motor vehicle repair parts in that month. For the remittances between July 1, 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in each subsequent fiscal year, the monthly deposit amount is ~~\$12,137,000~~ \$12,133,000. For purposes of this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph, "tire" means any tire of the type used on highway vehicles, if wholly or partially made of rubber and if marked according to federal regulations for highway use.

(h) 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

(i) The revenue dedicated under paragraph (h) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (h) must be open to public hunting and fishing during the open season, except

that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (h) must be allocated for field operations.

(j) The commissioner must deposit the revenues, including interest and penalties minus any refunds, derived from the sale of items regulated under section 624.20, subdivision 1, that may be sold to persons 18 years old or older and that are not prohibited from use by the general public under section 624.21, in the state treasury and credit:

- (1) 25 percent to the volunteer fire assistance grant account established under section 88.068;
- (2) 25 percent to the fire safety account established under section 297I.06, subdivision 3; and
- (3) the remainder to the general fund.

For purposes of this paragraph, the percentage of total sales and use tax revenue derived from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be sold to persons 18 years old or older and are not prohibited from use by the general public under section 624.21, is a set percentage of the total sales and use tax revenues collected in the state, with the percentage determined under Laws 2017, First Special Session chapter 1, article 3, section 39.

(k) The revenues deposited under paragraphs (a) to (j) do not include the revenues, including interest and penalties, generated by the sales tax imposed under section 297A.62, subdivision 1a, which must be deposited as provided under the Minnesota Constitution, article XI, section 15."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Frentz moved to amend the third Frentz amendment to H.F. No. 1555 as follows:

Page 1, after line 9, insert:

"Page 14, delete lines 15 to 22 and insert:

<u>(e) Soft Body Armor Reimbursements</u>	<u>745,000</u>	<u>745,000</u>
<u>Appropriations by Fund</u>		
	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>645,000</u>	<u>645,000</u>
<u>Trunk Highway</u>	<u>100,000</u>	<u>100,000</u>

\$645,000 in each year is from the general fund and \$100,000 in each year is from the trunk highway fund for soft body armor reimbursements under Minnesota Statutes, section 299A.38."

Correct the subdivision and section totals and the appropriations by fund"

The motion prevailed. So the amendment to the amendment was adopted.

Senator Newman moved to amend the third Frenz amendment to H.F. No. 1555 as follows:

Page 1, delete lines 4 to 31 and insert:

"Page 12, line 33, delete "89,820,000" and insert "89,775,000" and delete "89,820,000" and insert "89,775,000""

Page 2, delete lines 1 to 34

Page 3, delete lines 1 to 33

Page 4, delete lines 1 to 8

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the third Frenz amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Dibble moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 49, delete sections 47 and 48 and insert:

"Sec. 47. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 3b. **Automated driving system.** "Automated driving system" means hardware and software that allow a motor vehicle to perform the functions of a human driver within the conditions for which the system is designed.

Sec. 48. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 29a. **Federal motor vehicle safety standards automated vehicle exemption.** "Federal motor vehicle safety standards automated vehicle exemption" means an exemption from the United States secretary of transportation from the motor vehicle safety standards under the National Traffic and Motor Vehicle Safety Act.

Sec. 49. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 34a. **Highly automated vehicle.** (a) "Highly automated vehicle" means a motor vehicle equipped with automated technology with the capability to function without a human operator being in physical control of the vehicle. A highly automated vehicle must be equipped so that a human operator is able to immediately assume control of the vehicle.

(b) A highly automated vehicle does not include a vehicle enabled with active safety systems or operator assistance systems, including but not limited to a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane-keeping assistance, lane departure warning, or traffic jam and queuing assistance, unless these

technologies alone or in combination with other systems enable the vehicle to test without any control by an operator.

Sec. 50. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 40b. **Minimal risk condition.** "Minimal risk condition" means a low risk operating mode in a highly automated vehicle that allows the vehicle to reach a reasonably safe state such as bringing the vehicle to a complete stop or activating the hazard lamps if the automated driving system experiences failures or operates outside of its design parameters.

Sec. 51. Minnesota Statutes 2018, section 169.011, is amended by adding a subdivision to read:

Subd. 50a. **Operator.** "Operator" means the person who drives or is in actual physical control, or the person who engages the automated driving system."

Page 50, after line 26, insert:

"Sec. 56. **[169.023] AUTONOMOUS VEHICLE OPERATORS.**

For purposes of Minnesota law, an operator, as defined in section 169.011, subdivision 50a, is equal in responsibility and penalty to a driver, as defined in section 169.011, subdivision 24."

Page 57, delete section 62

Page 70, after line 5, insert:

"Sec. 85. **[174.46] AUTOMATED VEHICLE TESTING.**

Subdivision 1. **Definitions.** The definitions in section 169.011 apply to this section.

Subd. 2. **License and vehicle registration requirements.** (a) A license to lawfully operate a motor vehicle is required.

(b) Commercial vehicles, as defined in section 169.011, subdivision 16, must have a human operator present in the highly automated vehicle able to immediately assume control of the vehicle.

(c) The highly automated vehicle must be registered in accordance with state law or lawfully registered outside of this state.

Subd. 3. **Permit to test.** (a) A permit is required to engage an automated driving system of a highly automated vehicle on the public roads of this state. The commissioner may grant or deny a permit application for the testing of a highly automated vehicle. The commissioner may include reasonable conditions and restrictions on the permit to ensure safety. To obtain a permit for the testing of a highly automated vehicle a person must submit an application on a form prescribed by the commissioner. An application must include:

(1) dates and locations of the proposed test;

(2) certification that the highly automated vehicle meets federal safety standards, received a federal motor vehicle safety standards automated vehicle exemption, or is otherwise in compliance with federal safety regulations;

(3) a description of safety procedures to be used during testing;

(4) certification that operators meet the license requirements of subdivision 2;

(5) identification of the owner on the proof of insurance of the highly automated vehicle to determine liability;

(6) proof that the highly automated vehicle is lawfully registered under chapter 168 or the vehicle registration laws of another state;

(7) a description of previous testing experience and results of previous tests, including any collisions that occurred and the cause of each collision;

(8) certification that a human driver will be present in the vehicle to immediately assume control of the vehicle if necessary;

(9) whether an exemption from any state law is being requested; and

(10) proof of valid and sufficient insurance, surety bond, or self-insurance of at least \$10,000,000.

(b) If an application does not include all the information required in paragraph (a), the commissioner must not grant the permit.

(c) A permit is valid for one year from the date the permit is issued. A tester may reapply for a permit in the same manner as for the initial permit.

(d) Nothing in this section authorizes the commissioner or the commissioner of public safety to waive or modify any law in the state for purposes of a test.

(e) Before granting a permit, the commissioner must consult with the commissioner of public safety. If the commissioner of public safety notifies the commissioner, in writing, of an identifiable public safety risk, the commissioner must not grant the permit.

(f) Before driving or operating a highly automated vehicle on public roads, the applicant must first successfully test at a closed facility. The test must be conducted so that controlled conditions simulate, as closely as practicable, the road conditions that may affect the operation of the vehicle. The applicant must demonstrate that the highly automated vehicle can transition to a minimal risk condition. After successfully completing a test at a closed facility, the applicant must successfully complete a test on public roads with minimal traffic and within a geographically fenced area that does not allow the vehicle to operate outside of the area. The applicant must again demonstrate that the highly automated vehicle can transition to a minimal risk condition. The commissioner may waive the requirements of this paragraph if the applicant has successfully completed a substantially similar test in another state and can provide proof of that successful test.

(g) If there are any material changes to the information provided in the permit application, the applicant must immediately provide those changes to the commissioner.

(h) The commissioner may deny an application. The commissioner must notify the applicant and the commissioner of public safety if a permit is denied and the notice must include the reasons for denying an application. The notice must be provided in writing. The commissioner must grant or deny the permit within 60 days of receiving the application.

Subd. 4. **Restrictions.** A highly automated vehicle may be tested with the automated driving system engaged if:

(1) the owner or operator has been granted a permit under this section;

(2) the vehicle has the capability to meet the applicable requirements of traffic and motor vehicle safety laws and regulations of this state; and

(3) the operator must continuously monitor the vehicle's performance while it is being operated and, if necessary, immediately take control of the vehicle's movements. If the operator does not or is unable to take control of the vehicle, the vehicle must transition to a minimal risk condition.

Subd. 5. **Collision reporting and data.** In the event of a collision, the driver, operator, or owner of a highly automated vehicle must promptly contact law enforcement to report the accident, and the highly automated vehicle and its driver or operator must remain at the scene of the accident as otherwise required by law. The driver, operator, or owner must comply with collision reporting requirements as otherwise required by law. In the event of a collision, the operator must submit information on whether the automated driving system was engaged at the time of the collision and what specific component of the automated driving system failed at the time of the collision, if known.

Subd. 6. **Compliance with laws; misdemeanor; public safety.** (a) Testing a highly automated vehicle without a permit constitutes a misdemeanor. Upon issuing a citation, law enforcement may impound or immobilize the vehicle. The vehicle may not be used until the operator has obtained the required permit in accordance with this section.

(b) The commissioners of public safety or transportation may immediately prohibit testing of a highly automated vehicle if it poses a risk to public safety or fails to comply with the conditions of the approved permit.

Subd. 7. **Data; reporting.** (a) Data related to highly automated vehicles is governed by the requirements of chapter 13. Trade secret data provided by the industry is protected under section 13.37.

(b) No later than October 31 of each year, the commissioner must submit a report to the chairs and ranking minority members of the senate and house of representatives transportation committees on highly automated vehicle testing. The report must include, at a minimum, the number of highly automated vehicles tested; testing locations; whether any collisions occurred; how many permits were granted; and how many permits were denied and the reasons for denial.

Subd. 8. **Uniform laws.** Unless otherwise provided in this section, highly automated vehicles, automated driving systems, and any commercial use or operation of highly automated vehicles shall be governed by this section, notwithstanding any other provision of law or rule to the contrary. No administrative rules or local ordinances relative to the operation of highly automated vehicles or automated driving systems shall be adopted which limit the authority to operate such vehicles or

systems conferred by this section or which conflict with this section. This section does not limit a local unit of government's authority to enforce local parking, traffic, and land use ordinances, if a local unit of government's traffic ordinance would otherwise apply to a vehicle other than a highly automated vehicle."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Newman moved to amend the Dibble amendment to H.F. No. 1555 as follows:

Page 3, line 19, before the period, insert "per occurrence"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Dibble amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Abeler moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 92, after line 24, insert:

"Sec. 120. **MARKED TRUNK HIGHWAY 47 RAIL CROSSING.**

(a) The commissioner of transportation must erect warning signs on each side of the Burlington Northern Santa Fe railroad crossing at marked Trunk Highway 47, also known as Ferry Street, in the city of Anoka. The warning signs must read "Warning! Dangerous Rail Crossing! This crossing is not currently scheduled for repair. Call Governor Walz with your concerns at 800-657-3717." The font on the signs must be large enough for a motorist to read while passing the signs while going the speed limit. The commissioner must pay for the signs within existing appropriations.

(b) The commissioner of transportation must make it a priority to attempt to secure funding from any available source to construct a highway-rail grade separation on marked Trunk Highway 47, also known as Ferry Street, at the Burlington Northern Santa Fe railroad crossing in the city of Anoka. The commissioner must take a leadership role in ensuring the project is completed as soon as possible."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 37 and nays 30, as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.

Anderson, P.
Benson

Chamberlain
Dahms

Draheim
Eichorn

Gazelka
Goggin

Hall	Jensen	Little	Pratt	Utke
Hoffman	Johnson	Mathews	Rarick	Weber
Housley	Kiffmeyer	Miller	Relph	Westrom
Howe	Koran	Nelson	Rosen	
Ingebrigtsen	Lang	Newman	Ruud	
Jasinski	Limmer	Osmek	Senjem	

Those who voted in the negative were:

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

The motion prevailed. So the amendment was adopted.

Senator Jasinski moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 69, after line 17, insert:

"Sec. 80. Minnesota Statutes 2018, section 171.01, is amended by adding a subdivision to read:

Subd. 48c. **Third-party tester.** "Third-party tester" means an individual who is an employee of a third-party testing program who has qualified for a third-party tester certificate issued by the commissioner granting the individual authorization to conduct road tests or skills tests.

Sec. 81. Minnesota Statutes 2018, section 171.01, is amended by adding a subdivision to read:

Subd. 48d. **Third-party testing program.** "Third-party testing program" means a program authorized by the commissioner to administer to an individual the road test or skills test.

Sec. 82. **[171.3213] THIRD-PARTY TESTING OF SCHOOL BUS DRIVERS.**

A school district that is a third-party testing program and owns or operates school buses may enter into an agreement with other school districts to test the other districts' school bus driver employees. A school bus company that is a third-party testing program and owns or operates school buses may enter into an agreement with other school bus companies to test the other companies' school bus driver employees. A third-party testing program may be reimbursed by the tested driver's school district or company. The agreement must be submitted to the commissioner for approval. A certified third-party tester must be employed by a school district or a school bus company providing the testing services."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Carlson moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 17, after line 18, insert:

"Sec. 6. **ACTIVE TRANSPORTATION; TRANSFER.**

\$5,000,000 in the first year is transferred from the federal fund to the active transportation account in the special revenue fund. This is a onetime transfer. The commissioner of transportation must reduce appropriations in fiscal year 2020 from the federal fund under the Federal Transportation Alternatives Program in the amount of \$5,000,000."

Page 70, after line 5, insert:

"Sec. 82. Minnesota Statutes 2018, section 174.38, subdivision 3, is amended to read:

Subd. 3. **Active transportation account.** An active transportation account is established in the special revenue fund. The account consists of funds provided by law and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is appropriated to the commissioner and must be expended only on a project that receives financial assistance under this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Tomassoni moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 36, after line 15, insert:

"Sec. 22. Minnesota Statutes 2018, section 161.14, is amended by adding a subdivision to read:

Subd. 92a. **Specialist Noah Pierce Bridge.** The bridge on marked Trunk Highway 37 over marked U.S. Highway 53 in the city of Eveleth is designated as "Specialist Noah Pierce Bridge." Subject to section 161.139, the commissioner shall adopt a suitable design to mark this bridge and erect appropriate signs."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Goggin moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 34, line 21, reinstate the stricken language

Page 34, line 23, reinstate the stricken "the "Eisenhower Memorial Bridge."" and before the period insert "of Valor"

Page 34, line 25, delete "as "Bridge of Valor.""

The motion prevailed. So the amendment was adopted.

Senator Kent moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 93, delete section 124

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Franzen moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 6, line 18, delete "1,052,295,000" and insert "1,052,059,000" and delete "999,282,000" and insert "998,752,000"

Page 7, after line 19, insert:

"The base is \$998,516,000 in fiscal year 2022 and \$998,163,000 in fiscal year 2023."

Page 8, line 13, delete "832,949,000" and insert "832,819,000" and delete "846,298,000" and insert "846,005,000"

Page 9, line 7, delete "208,516,000" and insert "208,482,000" and delete "211,528,000" and insert "211,451,000"

Senator Franzen moved to amend the Franzen amendment to H.F. No. 1555 as follows:

Page 1, after line 11, insert:

"Page 41, delete sections 32 and 33

Page 70, delete section 83

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

The question was taken on the adoption of the Franzen amendment to the Franzen amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson, P.	Cohen	Franzen	Klein	Pappas
Bakk	Cwodzinski	Frentz	Latz	Rest
Bigham	Dibble	Hawj	Little	Torres Ray
Carlson	Dziedzic	Hayden	Marty	Wiger
Champion	Eaton	Isaacson	Newton	Wiklund
Clausen	Eken	Kent	Osmek	

Those who voted in the negative were:

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

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

Senator Franzen withdrew her first amendment.

Senator Howe moved to amend H.F. No. 1555, as amended pursuant to Rule 45, adopted by the Senate April 30, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 1093.)

Page 40, delete section 31 and insert:

"Sec. 31. Minnesota Statutes 2018, section 168.013, subdivision 1a, is amended to read:

Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in section 168.002, subdivision 24, and hearses, except as otherwise provided, the tax is ~~\$10~~ \$45 plus an additional tax equal to ~~1.25~~ 1.5 percent of the base value.

(b) Subject to the classification provisions herein, "base value" means the manufacturer's suggested retail price of the vehicle ~~including destination charge~~ using list price information published by the manufacturer or determined by the registrar if no suggested retail price exists, and shall not include the cost of each accessory or item of optional equipment separately added to the vehicle and the suggested retail price. In the case of the first registration of a new vehicle sold or leased by a licensed dealer, the dealer may elect to individually determine the base value of the vehicle using suggested retail price information provided by the manufacturer. The registrar must use the base value determined by the dealer to properly classify the vehicle. A dealer that elects to make the determination must retain a copy of the suggested retail price label or other supporting documentation with the vehicle transaction records maintained under Minnesota Rules, part 7400.5200.

(c) If the manufacturer's list price information contains a single vehicle identification number followed by various descriptions and suggested retail prices, the registrar shall select from those listings only the lowest price for determining base value.

(d) If unable to determine the base value because the vehicle is specially constructed, or for any other reason, the registrar may establish such value upon the cost price to the purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.

(e) The registrar shall classify every vehicle in its proper base value class as follows:

FROM	TO
\$ 0	\$ 199.99
\$ 200	\$ 399.99

and thereafter a series of classes successively set in brackets having a spread of \$200 consisting of such number of classes as will permit classification of all vehicles.

(f) The base value for purposes of this section shall be the middle point between the extremes of its class.

(g) The registrar shall establish the base value, when new, of every passenger automobile and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31, using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry. If unable to ascertain the base value of any registered vehicle

in the foregoing manner, the registrar may use any other available source or method. The registrar shall calculate tax using base value information available to dealers and deputy registrars at the time the application for registration is submitted. The tax on all previously registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of paragraph (h).

(h) The annual additional tax must be computed upon a percentage of the base value as follows: during the first year of vehicle life, upon 100 percent of the base value; for the second year, ~~90~~ 100 percent of such value; for the third year, ~~80~~ 90 percent of such value; for the fourth year, ~~70~~ 90 percent of such value; for the fifth year, ~~60~~ 75 percent of such value; for the sixth year, ~~50~~ 75 percent of such value; for the seventh year, ~~40~~ 60 percent of such value; for the eighth year, ~~30~~ 40 percent of such value; for the ninth year, ~~20~~ 30 percent of such value; for the tenth year, ten percent of such value; for the 11th and each succeeding year, the sum of \$25.

(i) In no event shall the annual additional tax be less than \$25.

~~(j) For any vehicle previously registered in Minnesota and regardless of prior ownership, the total amount due under this subdivision and subdivision 1m must not exceed the smallest total amount previously paid or due on the vehicle.~~

EFFECTIVE DATE. This section is effective January 1, 2020."

Page 70, after line 11, insert:

"Sec. 83. Minnesota Statutes 2018, section 296A.07, subdivision 3, is amended to read:

Subd. 3. **Rate of tax.** (a) After September 30, 2019, but before April 1, 2020, and on all gasoline in distributor storage at 12:01 a.m. on October 1, 2019, the gasoline excise tax is imposed at the following rates:

- (1) E85 is taxed at the rate of ~~17.75~~ 21.30 cents per gallon;
- (2) M85 is taxed at the rate of ~~14.25~~ 17.10 cents per gallon; and
- (3) all other gasoline is taxed at the rate of ~~25~~ 30 cents per gallon.

(b) After March 31, 2020, but before October 1, 2020, and on all gasoline in distributor storage at 12:01 a.m. on April 1, 2020, the gasoline excise tax is imposed at the following rates:

- (1) E85 is taxed at the rate of 24.85 cents per gallon;
- (2) M85 is taxed at the rate of 19.95 cents per gallon; and
- (3) all other gasoline is taxed at the rate of 35 cents per gallon.

(c) After September 30, 2020, but before April 1, 2021, and on all gasoline in distributor storage at 12:01 a.m. on October 1, 2020, the gasoline excise tax is imposed at the following rates:

- (1) E85 is taxed at the rate of 28.40 cents per gallon;

(2) M85 is taxed at the rate of 22.80 cents per gallon; and

(3) all other gasoline is taxed at the rate of 40 cents per gallon.

(d) After March 31, 2021, and on all gasoline in distributor storage at 12:01 a.m. on April 1, 2021, the gasoline excise tax is imposed at the following rates:

(1) E85 is taxed at the rate of 31.95 cents per gallon;

(2) M85 is taxed at the rate of 25.65 cents per gallon; and

(3) all other gasoline is taxed at the rate of 45 cents per gallon.

(e) On or before April 1, 2022, and on or before April 1 in each subsequent year, the commissioner shall determine the tax rate applicable to the sale of E85, M85, and all other gasoline subject to tax under this section for the upcoming 12-month period, beginning July 1, by adding to the current fiscal year tax rate the percentage increase, if any, in the United States Consumer Price Index for the previous calendar year. The tax rate shall be rounded to the nearest tenth of a cent. The tax rate for E85 shall not be lower than 31.95 cents per gallon. The tax rate for M85 shall not be less than 25.65 cents per gallon. The tax rate for all other gasoline shall not be lower than 45 cents per gallon.

(f) For purposes of this subdivision, "the United States Consumer Price Index" means the United States Consumer Price Index for all urban consumers, United States city average, as determined by the United States Department of Labor.

(g) For purposes of this subdivision, "gasoline in distributor storage" means gasoline owned or possessed by a distributor and held in storage, including being held in bulk storage, a tank wagon, or a compartment of a delivery truck.

EFFECTIVE DATE. This section is effective for tax imposed after September 30, 2019."

Page 71, after line 6, insert:

"Sec. 85. Minnesota Statutes 2018, section 296A.08, subdivision 2, is amended to read:

Subd. 2. **Rate of tax.** (a) On special fuel subject to tax under this section after September 30, 2019, but before April 1, 2020, and on special fuel in distributor storage at 12:01 a.m. on October 1, 2019, the special fuel excise tax is imposed at the following rates:

~~(a)~~ (1) liquefied petroleum gas or propane is taxed at the rate of ~~48.75~~ 22.50 cents per gallon;

~~(b)~~ (2) liquefied natural gas is taxed at the rate of ~~15~~ 18 cents per gallon;

~~(c)~~ (3) compressed natural gas is taxed at the rate of ~~\$1.974~~ \$2.368 per thousand cubic feet; or ~~25~~ 30 cents per gasoline equivalent. For purposes of this paragraph, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet; and

~~(4)~~ (4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2. The tax is payable in the form and manner prescribed by the commissioner.

(b) On special fuel subject to tax under this section after March 31, 2020, but before October 1, 2020, and on all special fuel in distributor storage at 12:01 a.m. on April 1, 2020, the special fuel excise tax is imposed at the following rates:

(1) liquefied petroleum gas or propane is taxed at the rate of 26.25 cents per gallon;

(2) liquefied natural gas is taxed at the rate of 21 cents per gallon;

(3) compressed natural gas is taxed at the rate of \$2.763 per thousand cubic feet; or 35 cents per gasoline equivalent. For purposes of this paragraph, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet; and

(4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2. The tax is payable in the form and manner prescribed by the commissioner.

(c) On special fuel subject to tax under this section after September 30, 2020, but before April 1, 2021, and on all special fuel in distributor storage at 12:01 a.m. on October 1, 2020, the special fuel excise tax is imposed at the following rates:

(1) liquefied petroleum gas or propane is taxed at the rate of 30 cents per gallon;

(2) liquefied natural gas is taxed at the rate of 24 cents per gallon;

(3) compressed natural gas is taxed at the rate of \$3.157 per thousand cubic feet; or 40 cents per gasoline equivalent. For purposes of this paragraph, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet; and

(4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2. The tax is payable in the form and manner prescribed by the commissioner.

(d) On special fuel subject to tax under this section after March 31, 2021, and on all special fuel in distributor storage at 12:01 a.m. on April 1, 2021, the special fuel excise tax is imposed at the following rates:

(1) liquefied petroleum gas or propane is taxed at the rate of 33.75 cents per gallon;

(2) liquefied natural gas is taxed at the rate of 27 cents per gallon;

(3) compressed natural gas is taxed at the rate of \$3.552 per thousand cubic feet; or 45 cents per gasoline equivalent. For purposes of this paragraph, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet; and

(4) all other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2. The tax is payable in the form and manner prescribed by the commissioner.

(e) On or before April 1, 2022, and on or before April 1 in each subsequent year, the commissioner shall determine the tax rate applicable to the sale of special fuels subject to tax under this section for the upcoming 12-month period, beginning July 1, by adding to the current tax rate the percentage increase, if any, in the United States Consumer Price Index for the previous calendar year. The tax rate shall be rounded to the nearest tenth of a cent. The tax rate for liquefied petroleum gas or propane shall not be lower than 33.75 cents per gallon. The tax rate for liquefied natural gas shall not be less than 27 cents per gallon. The tax rate for compressed natural gas shall not be lower than \$3.552 per thousand cubic feet or 45 cents per gasoline equivalent. The tax rate for all other special fuel shall not be lower than 45 cents per gallon.

(f) For purposes of this subdivision, "the United States Consumer Price Index" means the United States Consumer Price Index for all urban consumers, United States city average, as determined by the United States Department of Labor.

(g) For purposes of this subdivision, "special fuel in distributor storage" means special fuel owned and possessed by a distributor and held in storage, including being held in bulk storage, a tank wagon, or a compartment of a delivery truck.

EFFECTIVE DATE. This section is effective for tax imposed after September 30, 2019.

Sec. 86. Minnesota Statutes 2018, section 297A.99, subdivision 1, is amended to read:

Subdivision 1. **Authorization; scope.** (a) A political subdivision of this state may impose a general sales tax (1) under section 297A.992, (2) under section ~~297A.993~~ 297A.9925, (3) under section 297A.993, (4) if permitted by special law, or ~~(4)~~ (5) if the political subdivision enacted and imposed the tax before January 1, 1982, and its predecessor provision.

(b) This section governs the imposition of a general sales tax by the political subdivision. The provisions of this section preempt the provisions of any special law:

(1) enacted before June 2, 1997, or

(2) enacted on or after June 2, 1997, that does not explicitly exempt the special law provision from this section's rules by reference.

(c) This section does not apply to or preempt a sales tax on motor vehicles or a special excise tax on motor vehicles.

(d) A political subdivision may not advertise or expend funds for the promotion of a referendum to support imposing a local option sales tax.

(e) Notwithstanding paragraph (d), a political subdivision may expend funds to:

(1) conduct the referendum;

(2) disseminate information included in the resolution adopted under subdivision 2;

(3) provide notice of, and conduct public forums at which proponents and opponents on the merits of the referendum are given equal time to express their opinions on the merits of the referendum;

(4) provide facts and data on the impact of the proposed sales tax on consumer purchases; and

(5) provide facts and data related to the programs and projects to be funded with the sales tax.

EFFECTIVE DATE. This section is effective for sales and purchases made after December 31, 2019.

Sec. 87. **[297A.9925] METROPOLITAN AREA TRANSIT SALES AND USE TAX.**

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

(b) "Metropolitan area" or "area" has the meaning given in section 473.121, subdivision 2.

(c) "Metropolitan Council" or "council" means the Metropolitan Council established by section 473.123.

Subd. 2. Metropolitan area transit sales tax imposition; rate. Notwithstanding sections 297A.99, subdivisions 2 and 3, and 477A.016, or any other law, a metropolitan area transit sales and use tax is imposed at a rate of one-eighth of one percent on retail sales and uses taxable under this chapter occurring within the metropolitan area as provided in section 297A.99, subdivision 4.

Subd. 3. Administration; collection; enforcement. Except as otherwise provided in this section, the provisions of section 297A.99, subdivisions 4, and 6 to 12a, govern the administration, collection, and enforcement of the tax authorized under this section.

Subd. 4. Uses; consistency with transportation policy plan. (a) The Metropolitan Council must use the proceeds of the metropolitan area transit sales and use tax imposed under subdivision 2 for transit purposes within the metropolitan area. This may include but is not limited to transit operations, capital improvements and financing, design, engineering and environmental work, acquisition of real property, planning and feasibility studies.

(b) Projects funded with the metropolitan area transit sales and use tax proceeds must be consistent with the long-range transportation policy plan adopted by the council under section 473.146.

Subd. 5. Revenue bonds. (a) In addition to other authority granted in this section, and notwithstanding section 473.39, subdivision 7, or any other law to the contrary, the council may, by resolution, authorize the sale and issuance of revenue bonds, notes, or other obligations to provide funds to (1) implement the council's transit capital improvement program, and (2) refund bonds issued under this subdivision.

(b) The bonds are payable from and secured by a pledge of the revenues of the council's transportation system, including all or any part of revenues received from the metropolitan area transit sales and use tax imposed under subdivision 2 and associated investment earnings on debt proceeds. The council may, by resolution, authorize the issuance of the bonds as general obligations

of the council. The bonds must be sold, issued, and secured in the manner provided in chapter 475, and the council has the same powers and duties as a municipality and its governing body in issuing bonds under chapter 475, except that no election is required and the net debt limitations in chapter 475 do not apply to such bonds. The proceeds of the bonds may also be used to fund necessary reserves and to pay credit enhancement fees, issuance costs, and other financing costs during the life of the debt.

(c) The bonds may be secured by a bond resolution, or a trust indenture entered into by the council with a corporate trustee within or outside the state, which must define the revenues and bond proceeds pledged for the payment and security of the bonds. The pledge must be a valid charge on the revenues received under section 297A.99, subdivision 11. Neither the state, nor any municipality or political subdivision except the council, nor any member or officer or employee of the council, is liable on the obligations. No mortgage or security interest in any tangible real or personal property shall be granted to the bondholders or the trustee, but they shall have a valid security interest in the revenues and bond proceeds received by the council and pledged to the payment of the bonds. In the bond resolution or trust indenture, the council may make such covenants as it determines to be reasonable for the protection of the bondholders.

EFFECTIVE DATE; APPLICATION. This section is effective for sales and purchases made after December 31, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 88. Minnesota Statutes 2018, section 297B.02, subdivision 1, is amended to read:

Subdivision 1. **Rate.** There is imposed an excise tax of ~~6.5~~ 6.875 percent on the purchase price of any motor vehicle purchased or acquired, either in or outside of the state of Minnesota, which is required to be registered under the laws of this state.

The excise tax is also imposed on the purchase price of motor vehicles purchased or acquired on Indian reservations when the tribal council has entered into a sales tax on motor vehicles refund agreement with the state of Minnesota.

EFFECTIVE DATE. This section is effective for sales and purchases made on or after December 1, 2019."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 0 and nays 67, as follows:

Those who voted in the negative were:

Abeler	Chamberlain	Draheim	Gazelka	Howe
Anderson, B.	Champion	Dziedzic	Goggin	Ingebrigtsen
Anderson, P.	Clausen	Eaton	Hall	Isaacson
Bakk	Cohen	Eichorn	Hawj	Jasinski
Benson	Cwodzinski	Eken	Hayden	Jensen
Bigham	Dahms	Franzen	Hoffman	Johnson
Carlson	Dibble	Frentz	Housley	Kent

Kiffmeyer	Little	Osmek	Ruud	Weber
Klein	Marty	Pappas	Senjem	Westrom
Koran	Mathews	Pratt	Simonson	Wiger
Laine	Miller	Rarick	Sparks	Wiklund
Lang	Nelson	Relph	Tomassoni	
Latz	Newman	Rest	Torres Ray	
Limmer	Newton	Rosen	Utke	

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

H.F. No. 1555 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 40 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. 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 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 802: A bill for an act relating to public safety; appropriating money for public safety, courts, corrections, human rights, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, Sentencing Guidelines, Peace Officer Standards and Training (POST) Board, and Private Detective Board; increasing the maximum penalty and requiring predatory offender registration for certain invasion of privacy crimes involving minors;

increasing penalties for child pornography offenses; expanding criminal sexual conduct offenses for persons in current or recent positions of authority over juveniles and for peace officers who engage in sexual activity with those in custody; amending Minnesota Statutes 2018, sections 243.166, subdivision 1b; 299A.707, by adding a subdivision; 357.021, subdivision 7; 609.341, subdivisions 10, 11; 609.342, subdivision 1; 609.343, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; 609.746, subdivision 1; 617.246, subdivisions 2, 3, 4, 7; 617.247, subdivisions 3, 4, 9.

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

Mariani, Lesch, Moller, Pinto and Zerwas.

Senate File No. 802 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2019

Mr. 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 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2226: A bill for an act relating to agriculture; establishing a budget for the Department of Agriculture, the Board of Animal Health, the Agricultural Utilization Research Institute, and the Minnesota Housing Finance Agency; modifying programs; amending Minnesota Statutes 2018, sections 17.041, subdivision 1; 18B.34, subdivision 5; 18C.425, subdivision 6; 18C.70, subdivision 5; 18C.71, subdivision 4; 18C.80, subdivision 2; 18K.02, subdivision 3; 18K.06; 28A.16; 41A.15, subdivision 10, by adding a subdivision; 41A.16, subdivisions 1, 2, 4; 41A.17, subdivisions 1, 2, 3; 41A.18, subdivisions 1, 2, 3; 41B.055, subdivision 4; 116.06, by adding a subdivision; 116.07, subdivisions 7, 7d; 223.16, subdivisions 2a, 4; 223.17, subdivisions 3, 4, 5, 6, by adding subdivisions; 223.177, subdivisions 2, 3, 8; 232.21, by adding subdivisions; 232.22, subdivisions 3, 4; 232.23, subdivision 3; 232.24, subdivisions 1, 2; 299D.085, by adding a subdivision; 326B.815, subdivision 1; 327.31, by adding a subdivision; 327B.041; 327C.095, subdivisions 4, 6, 12, 13, by adding a subdivision; 428A.11, subdivisions 4, 6; 462A.2035, subdivisions 1a, 1b; 462A.209, subdivision 8; 462A.22, subdivision 9; 462A.24; 462A.33, subdivisions 1, 2, 3; 462A.37, subdivision 2; 462A.38, subdivision 1; 474A.02, by adding subdivisions; 474A.03, subdivision 1; 474A.061, subdivisions 1, 2a, by adding a subdivision; 474A.091, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 41B; 327.

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

Poppe, Hausman, Pelowski, Vang and Gunther.

Senate File No. 2226 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2019

Mr. 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 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2227: A bill for an act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, and retirement funds; changing provisions in state government operations; establishing commissions and task forces; repealing state aid to PERA General for MERF; establishing observances for veterans and allies; requiring reports; amending Minnesota Statutes 2018, sections 3.855, subdivision 2, by adding a subdivision; 3.97, subdivision 3a; 3.971, subdivision 9; 6.481, subdivisions 1, 3; 13.599, by adding a subdivision; 15A.083, subdivision 6a; 16A.103, subdivision 1a; 16A.11, subdivision 3; 16E.01, subdivision 1a; 16E.016; 16E.03, subdivisions 1, 2, by adding subdivisions; 16E.035; 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.14, subdivision 3; 16E.18, subdivision 6; 43A.01, by adding a subdivision; 43A.15, subdivision 14; 43A.191, subdivisions 2, 3; 179A.20, by adding a subdivision; 196.05, subdivision 1; 240.01, by adding a subdivision; 240.02, subdivisions 2, 6; 240.08, subdivision 5; 240.10; 240.12; 240.13, subdivision 5; 240.131, subdivision 7; 240.135; 240.16, subdivisions 1, 2; 240.18, subdivisions 2, 3; 240.22; 240.27; 240A.09; 326A.01, subdivision 2; 326A.04, subdivisions 4, 5; 326A.08, subdivisions 4, 5, by adding a subdivision; 326A.10; 349.12, subdivision 2; 349.17, subdivision 6; 349.181, subdivision 5; 349.19, subdivisions 1, 2; 353.27, subdivision 3c; 645.071; Laws 2016, chapter 189, article 13, section 64; Laws 2018, chapter 100, section 1; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 10; 14; 15; 16A; 16E; 326A; repealing Minnesota Statutes 2018, sections 3.9735; 353.505.

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

Nelson, M.; Freiberg; Ecklund; Dehn and Kiel.

Senate File No. 2227 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2019

Mr. 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 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2314: A bill for an act relating to state government; appropriating money for environment and natural resources and tourism; modifying programs; creating accounts and providing for disposition of certain receipts; modifying certain natural resources fee and permit conditions; authorizing sales of certain state land; establishing the Wild Rice Stewardship Council; creating the Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group; providing appointments; requiring reports; making technical corrections; amending Minnesota Statutes 2018, sections 17.035, subdivision 1; 35.153, by adding subdivisions; 35.155, subdivisions 4, 6, 7, 9, 10, 11; 84.026, by

adding a subdivision; 84.027, subdivision 18, by adding a subdivision; 84.0273; 84.0895, subdivision 2; 84.775, subdivision 1; 84.788, subdivision 2; 84.794, subdivision 2; 84.83, subdivision 3; 84.86, subdivision 1; 84.925, subdivision 1; 84.9256, subdivision 1; 84.928, subdivision 2; 84D.03, subdivisions 3, 4; 84D.108, subdivisions 2b, 2c; 85.054, subdivision 1; 85.44; 85.47; 85A.02, subdivision 17; 86B.005, subdivision 18; 86B.415, subdivision 1a; 89.71, by adding a subdivision; 92.115, subdivision 1; 92.50, subdivision 1; 93.25; 94.09, subdivision 3; 94.10; 97A.015, subdivisions 25, 43; 97A.051, subdivision 2; 97A.055, subdivision 4b; 97A.075, subdivision 1; 97A.126; 97A.433, subdivisions 4, 5; 97A.475, subdivision 4; 97A.505, subdivision 8; 97B.086; 97B.106, subdivision 2; 97B.426; 97B.516; 97B.722; 97B.731, subdivision 3; 97C.315, subdivision 1; 97C.345, by adding a subdivision; 97C.391, subdivision 1; 97C.395, subdivision 2; 97C.605, subdivision 2; 97C.815, subdivision 2; 103B.3369, subdivisions 5, 9; 103B.611, subdivision 3; 103B.801, subdivisions 2, 5; 103D.315, subdivision 8; 103F.361, subdivision 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371; 103F.373, subdivisions 1, 3, 4; 103G.2242, subdivision 14; 103G.241, subdivisions 1, 3; 103G.271, subdivision 7, by adding a subdivision; 103G.287, subdivisions 1, 4, 5; 103G.289; 103G.311, subdivisions 2, 5; 103G.315, subdivision 8; 103G.408; 103G.615, subdivision 3a; 114D.15, subdivisions 7, 11, 13, by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35, subdivisions 1, 3; 115.03, subdivisions 1, 5, by adding a subdivision; 115.035; 115.44, subdivision 6; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115A.51; 115B.421; 116.03, subdivision 1, by adding a subdivision; 116.07, subdivisions 2, 4d, by adding a subdivision; 116.0714; 116.993, subdivisions 2, 6; 116D.04, subdivision 2a; 216G.01, subdivision 3; 282.01, subdivision 4; Laws 2012, chapter 236, section 28, subdivisions 2, as amended, 9, as amended; Laws 2013, chapter 114, article 4, section 105, as amended; Laws 2015, chapter 76, section 2, subdivision 9, as amended; Laws 2016, chapter 189, article 3, sections 2, subdivision 2; 6, as amended; Laws 2017, chapter 93, article 1, section 9; article 2, section 155, as amended; Laws 2017, chapter 96, section 2, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 84; 92; 97A; 103C; 114D; 115B; 116; repealing Minnesota Statutes 2018, section 92.121; Minnesota Rules, part 6232.0350.

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

Hansen, Persell, Fischer, Becker-Finn and Nelson, N.

Senate File No. 2314 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2019

Mr. 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 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2415: A bill for an act relating to higher education; providing funding and policy changes for the Office of Higher Education, the Minnesota State Colleges and Universities, and the University of Minnesota; modifying the state grant formula; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 13.322, subdivision 3; 135A.15, subdivision 2; 136A.101, subdivision 5a; 136A.121, subdivision 6; 136A.1215, subdivision 4; 136A.1275,

subdivisions 2, 3; 136A.15, subdivision 8; 136A.16, subdivisions 1, 2, 5, 8, 9; 136A.162; 136A.1701, subdivision 7; 136A.1789, subdivisions 1, 3, 5; 136A.64, subdivisions 1, 5, by adding a subdivision; 136A.645; 136A.646; 136A.672, by adding a subdivision; 136A.821, by adding subdivisions; 136A.822, subdivisions 6, 10, 12; 136A.8295, by adding subdivisions; 136A.87; 136F.20, by adding a subdivision; 136F.38; 136F.58, by adding a subdivision; 179A.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 136A; 136F; 137; repealing Minnesota Statutes 2018, sections 136A.15, subdivisions 2, 7; 136A.1701, subdivision 12.

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

Bernardy, Pryor, Lien, Klevorn and Nornes.

Senate File No. 2415 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2019

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2400:

H.F. No. 2400: A bill for an act relating to education finance; modifying provisions for prekindergarten through grade 12 including general education, education excellence, teachers, special education, health and safety, facilities, fund transfers, accounting, nutrition, libraries, early childhood, community education, lifelong learning, and state agencies; making technical changes; making forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 5A.03, subdivision 2; 16A.152, subdivisions 1b, 2; 120A.20, subdivision 2; 120A.22, subdivisions 5, 6, 11; 120A.24, subdivision 1; 120A.35; 120A.40; 120B.11, subdivisions 2, 3; 120B.12, subdivision 2; 120B.122, subdivision 1; 120B.21; 120B.30, subdivisions 1, 1a; 120B.35, subdivision 3; 120B.36, subdivision 1; 121A.22, subdivision 1, by adding a subdivision; 121A.335, subdivisions 3, 5; 121A.41, by adding subdivisions; 121A.45, subdivisions 1, 2; 121A.46, by adding subdivisions; 121A.47, subdivisions 2, 14; 121A.53, subdivision 1; 121A.55; 122A.06, subdivisions 2, 5, 7, 8; 122A.07, subdivisions 1, 2, 4a, by adding a subdivision; 122A.09, subdivision 9; 122A.091, subdivision 1; 122A.092, subdivisions 5, 6; 122A.14, subdivision 9; 122A.17; 122A.175, subdivisions 1, 2; 122A.18, subdivisions 7c, 8, 10; 122A.181, subdivisions 3, 4, 5; 122A.182, subdivisions 1, 3, 4; 122A.183, subdivisions 2, 4; 122A.184, subdivisions 1, 3; 122A.185, subdivision 1; 122A.187, subdivision 3, by adding subdivisions; 122A.19, subdivision 4; 122A.20, subdivisions 1, 2; 122A.21; 122A.22; 122A.26, subdivision 2, by adding a subdivision; 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.63, subdivisions 1, 4, 5, 6, by adding a subdivision; 122A.70; 123A.64; 123B.02, subdivision 14; 123B.143, subdivision 1; 123B.41, subdivisions 2, 5; 123B.42, subdivision 3; 123B.49, subdivision 4; 123B.52, subdivision 6; 123B.571; 123B.595; 123B.61; 123B.92, subdivision 1; 124D.02, subdivision 1; 124D.09, subdivisions 3, 7, 9, 10; 124D.091; 124D.111; 124D.1158; 124D.151, subdivisions 2, 4, 5, 6; 124D.165, subdivisions 2, 3, 4, by adding a subdivision; 124D.2211; 124D.231; 124D.34, subdivisions 2, 3, 4, 5, 8, 12; 124D.4531; 124D.531, subdivision 1; 124D.55; 124D.59, subdivision 2a; 124D.65, subdivision 5; 124D.68, subdivision 2; 124D.78, subdivision 2; 124D.83, subdivision 2; 124D.861, subdivision 2; 124D.862, subdivisions 1, 4, 5, by adding a subdivision; 124D.957, subdivision 1, by adding a subdivision; 124D.98, by adding a

subdivision; 124D.99, subdivision 3; 124E.03, subdivision 2; 124E.11; 124E.12, by adding a subdivision; 124E.13, subdivision 3; 124E.20, subdivision 1; 124E.21, subdivision 1; 125A.08; 125A.091, subdivisions 3a, 7; 125A.11, subdivision 1; 125A.50, subdivision 1; 125A.76, subdivisions 1, 2a, 2c, by adding a subdivision; 126C.05, subdivision 1; 126C.10, subdivisions 2, 2d, 2e, 3, 13a, 18a, 24; 126C.126; 126C.17, subdivisions 1, 2, 5, 6, 7, 7a, 9, by adding subdivisions; 126C.40, subdivision 1; 126C.44; 127A.052; 127A.45, subdivision 13; 127A.47, subdivision 7; 127A.49, subdivision 2; 134.355, subdivisions 5, 6, 7, 8; 136D.01; 136D.49; 214.01, subdivision 3; 245C.12; 257.0725; 471.59, subdivision 1; 626.556, subdivisions 2, 3b, 10, 11; 631.40, subdivision 4; Laws 2016, chapter 189, article 25, sections 56, subdivisions 2, 3; 61; 62, subdivisions 4, 15; Laws 2017, First Special Session chapter 5, article 1, section 19, subdivisions 2, 3, 4, 5, 6, 7, 9; article 2, section 57, subdivisions 2, 3, 4, 5, 6, 21, 26, 37; article 4, section 12, subdivisions 2, as amended, 3, 4, 5; article 5, section 14, subdivisions 2, 3; article 6, section 3, subdivisions 2, 3, 4; article 8, sections 8; 9, subdivision 6; 10, subdivisions 3, 4, 5a, 6, 12; article 9, section 2, subdivision 2; article 10, section 6, subdivision 2; article 11, section 9, subdivision 2; Laws 2018, chapter 211, article 21, section 4; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 121A; 122A; 123B; 125A; 127A; 245C; repealing Minnesota Statutes 2018, sections 120B.299; 122A.09, subdivision 1; 122A.182, subdivision 2; 122A.63, subdivisions 7, 8; 126C.17, subdivision 9a; 127A.051, subdivision 7; 127A.14; 136D.93; Laws 2017, First Special Session chapter 5, article 11, section 6; Minnesota Rules, part 8710.2100, subparts 1, 2.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Davnie, Youakim, Pinto, Sandstede and Urdahl have been appointed as such committee on the part of the House.

House File No. 2400 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 1, 2019

Senator Nelson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2400, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MEMBERS EXCUSED

Senators Franzen, Hayden, Isaacson, Jensen, Latz, Pappas, Sparks, and Torres Ray were excused from the Session of today from 11:00 to 11:30 a.m. Senator Cohen was excused from the Session of today from 11:00 to 11:30 a.m. and from 3:45 to 5:00 p.m. Senator Bakk was excused from the Session of today from 2:00 to 5:00 p.m.

45TH DAY]

WEDNESDAY, MAY 1, 2019

4201

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 10:00 a.m., Thursday, May 2, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

