

STATE OF MINNESOTA

# Journal of the Senate

NINETY-SECOND LEGISLATURE

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EIGHTY-SECOND DAY

St. Paul, Minnesota, Thursday, March 24, 2022

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

## CALL OF THE SENATE

Senator Goggin 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. Kirsten Fryer.

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 were present:

Abeler	Draheim	Ingebrigtsen	Mathews	Rosen
Anderson	Duckworth	Isaacson	McEwen	Ruud
Bakk	Dziedzic	Jasinski	Miller	Senjem
Benson	Eaton	Johnson	Murphy	Tomassoni
Bigham	Eichorn	Johnson Stewart	Nelson	Torres Ray
Carlson	Eken	Kent	Newman	Utke
Chamberlain	Fateh	Kiffmeyer	Newton	Weber
Champion	Frentz	Klein	Osmek	Westrom
Clausen	Gazelka	Koran	Pappas	Wiger
Coleman	Goggin	Kunesh	Port	Wiklund
Cwodzinski	Hawj	Lang	Pratt	
Dahms	Hoffman	Limmer	Putnam	
Dibble	Housley	López Franzen	Rarick	
Dornink	Howe	Marty	Rest	

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Bakk, Isaacson, McEwen, Pappas, Putnam, and Tomassoni.

The President declared a quorum present.

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

## REPORTS OF COMMITTEES

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

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

**H.F. No. 2819:** A bill for an act relating to natural resources; increasing civil penalties for violations of snowmobile and off-highway vehicle provisions; amending Minnesota Statutes 2020, section 84.775, subdivisions 1, 4.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

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

**S.F. No. 2644:** A bill for an act relating to education finance; authorizing a lease levy for a transportation hub for Eastern Carver County Schools.

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

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

**S.F. No. 1040:** A bill for an act relating to labor; adding a supervisory law enforcement unit; amending Minnesota Statutes 2020, section 179A.10, subdivisions 2, 3.

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

**Senator Rarick from the Committee on Labor and Industry Policy, to which was referred**

**S.F. No. 3942:** A bill for an act relating to construction codes; proposing fee increases for electrical inspections; amending Minnesota Statutes 2020, section 326B.37.

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

Delete everything after the enacting clause and insert:

"Section 1. CONTRACT ELECTRICAL INSPECTORS' SALARY SURVEY; REPORT.

(a) By January 1, 2023, the legislative auditor shall conduct a compensation survey of electrical inspectors under state contract through the Department of Labor and Industry.

(b) The survey shall include information as required by this section for the most recently completed calendar year, including a comparison of compensation for contract electrical inspectors with compensation rates for licensed electricians.

(c) In conducting the survey, the legislative auditor shall also examine:

(1) the inspectors' administrative duty workloads, not directly supported by inspection fees, including administrative sanctions and license checks;

(2) existing contract requirements and fee structures for inspections to determine the impact on inspector compensation; and

(3) factors affecting base compensation and expenses for inspectors, including the geographic size of inspection areas, average value of permits, number of permits issued, and how inspection times vary based on the type of inspection.

(d) By January 15, 2023, the legislative auditor shall submit a compilation of the survey information in a report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over labor and industry policy."

Delete the title and insert:

"A bill for an act relating to economic development; directing the legislative auditor to conduct a contract electrical inspectors' salary survey; requiring a report."

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

**Senator Rarick from the Committee on Labor and Industry Policy, to which was referred**

**S.F. No. 181:** A bill for an act relating to the State Building Code; clarifying exemptions from inspections; amending Minnesota Statutes 2020, section 326B.36, subdivision 7.

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

Page 2, lines 1 and 2, delete the new language

Page 2, after line 19, insert:

"Sec. 2. Minnesota Statutes 2020, section 326B.36, is amended by adding a subdivision to read:

Subd. 8. **Electric utility exemptions; additional requirements.** For exemptions to inspections exclusively for load control allowed for electrical utilities under subdivision 7, clause (2), item (i), the following requirements apply:

(1) the exempted work must be conducted by Class A electrical contractor. If a deficiency or code violation is found when conducting such work, the electrical contractor or other designee must report the deficiency or code violation to the electric utility; and

(2) the electric utility must within ten calendar days of discovering the need for repair, inform the owner of:

(i) the location of the materials or equipment that need repair;

(ii) that a permit is required for the work; and

(iii) provide a timeframe for the repair to be complete, not to exceed six months, after which time the utility must disconnect the materials or equipment."

Amend the title as follows:

Page 1, line 2, after "inspections" insert "for load control allowed for electrical utilities"

Amend the title numbers accordingly

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

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

**H.F. No. 3001** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3001	2925				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 3254** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3254	2991				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 3379** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3379	2635				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 3682** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3682	3457				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3682 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3682; and insert the language after the enacting clause of S.F. No. 3457, the first engrossment; further, delete the title of H.F. No. 3682; and insert the title of S.F. No. 3457, the first engrossment.

And when so amended H.F. No. 3682 will be identical to S.F. No. 3457, and further recommends that H.F. No. 3682 be given its second reading and substituted for S.F. No. 3457, and that the Senate File be indefinitely postponed.

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

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

**H.F. No. 2919** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2919	3251				

and that the above Senate File be indefinitely postponed.

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

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

**S.F. No. 4131:** A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, article XI, section 14; providing for the renewal of the environment and natural resources trust fund; making changes to the Legislative-Citizen Commission on Minnesota Resources; amending Minnesota Statutes 2020, sections 116P.05, subdivision 1; 349A.08, subdivision 5.

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

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

**S.F. No. 3531:** A bill for an act relating to transportation; authorizing third-party commercial driver's license road tests; appropriating money; amending Minnesota Statutes 2021 Supplement, section 171.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 171.

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

Page 1, line 10, delete "Each" and insert "An"

Page 2, line 26, delete " Road" and insert "Road" and delete "actual"

Page 2, line 29, delete "individual who is an"

Page 2, line 30, delete "and" and insert "who"

Page 3, line 3, delete everything after "(a)" and insert "An"

Page 4, delete line 3

Page 4, line 4, delete "(2)" and insert "(1)"

Page 4, line 5, delete "(3)" and insert "(2)"

Page 4, line 6, after the second comma, insert "part 380, section 605, and"

Page 4, line 26, after "applicant" insert "for a commercial driver's license"

Page 5, line 1, delete everything after "383"

Page 5, line 2, delete everything before the period

Page 5, delete line 9

Page 5, line 10, before "A" insert "(a)"

Page 5, after line 12, insert:

"(b) A third-party tester must not conduct a fourth or subsequent road test for a person."

Page 5, line 13, delete "Indemnification" and insert "Immunity"

Page 5, line 18, delete "the commissioner or"

Page 6, line 27, delete "receiving" and insert "the mailing date of"

Page 6, line 31, delete the first "receipt" and insert "the mailing date" and delete everything after the period

Page 6, line 32, delete everything before "may" and insert "The third-party testing program or third-party tester"

Page 6, line 33, after "14" insert "within 20 days of receipt of the commissioner's decision"

Page 7, line 1, delete "affected party" and insert "third-party testing program or third-party tester"

Page 7, line 2, delete "receiving" and insert "the mailing date of"

Page 7, delete subdivision 17 and insert:

"Subd. 17. **Rulemaking.** (a) To the extent that Minnesota Rules, parts 7410.600 to 7410.6540, or other laws do not prescribe requirements on the following topics, the commissioner may adopt rules on these topics as they pertain to third-party testing programs and testers:

(1) criteria for approval of an application of a third-party testing program or tester;

(2) requirements for training to become a third-party testing program or tester;

(3) the method of scoring and evaluating an applicant for a commercial driver's license;

(4) the method and criteria for determining test routes;

(5) documentation necessary to conduct a road test;

(6) the manner of conducting a road test for a commercial driver's license; and

(7) a process to investigate alleged violations of law and complaints made against third-party testing programs and testers.

(b) The commissioner must not adopt rules that create standards for third-party testing programs and third-party testers to provide road tests for a commercial driver's license that are higher than standards required for the state or state employees who perform road tests for commercial driver's licenses.

(c) If the commissioner does not adopt rules by June 1, 2024, rulemaking authority under this section is repealed. Rulemaking authority under this section is not continuing authority to amend or repeal rules. Notwithstanding section 14.125, any additional action on rules after adoption must be under specific statutory authority to take the additional action."

Page 7, before line 11, insert:

"Sec. 3. **RULES.**

If the commissioner of public safety determines that any additional rules, beyond those authorized to be adopted under Minnesota Statutes, section 171.135, are required to implement this act, the commissioner must report to the chairs and ranking minority members of the committees in the senate and house of representatives with jurisdiction over transportation by January 15, 2023, describing topics on which additional rulemaking is required. The report must include draft legislation to authorize the necessary rulemaking."

Page 7, line 12, delete "\$425,000" and insert "\$429,000" and delete "\$369,000" and insert "\$390,000" and delete "\$369,000" and insert "\$390,000"

Page 7, after line 15, insert:

"Sec. 5. **REPEALER.**

Minnesota Rules, part 7411.0630, subpart 6, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "authorizes rulemaking;"

And when so amended the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Amendments adopted. Report adopted.

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

**S.F. No. 3792:** A bill for an act relating to natural resources; appropriating money to replace a drain line near the city of Beardsley.

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

Delete everything after the enacting clause and insert:

"Section 1. **BEARDSLEY DRY LAKE SYSTEM REPAIRS.**

Subdivision 1. **Appropriation.** \$2,000,000 is appropriated from the bond proceeds fund to the Board of Water and Soil Resources for a grant to the city of Beardsley for predesign and design, and to remove and replace, or to repair, a portion of drain line in the gravity pipe system designed to remove excess water from Dry Lake and prevent flooding. The city must undertake this project in coordination with the Upper Minnesota River Watershed District. This appropriation is available when the commissioner of management and budget determines that an amount sufficient to complete the project is committed to the project.

Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$2,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

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

Delete the title and insert:

"A bill for an act relating to capital investment; appropriating money for removal and replacement or repair of a drain line near the city of Beardsley; authorizing the sale and issuance of state bonds."



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

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

**S.F. No. 3071:** A bill for an act relating to occupational licensing; establishing board processing procedures for physician and nurse licensure applications; requiring the Board of Medical Practice to issue temporary permits to practice as a respiratory therapist; amending Minnesota Statutes 2020, sections 147C.15, subdivision 3; 148.211, by adding a subdivision; 148.212, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 147; 148.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 147.01, subdivision 7, is amended to read:

Subd. 7. **Physician application and license fees.** (a) The board may charge the following nonrefundable application and license fees processed pursuant to sections 147.02, 147.03, 147.037, 147.0375, and 147.38:

- (1) physician application fee, \$200;
- (2) physician annual registration renewal fee, \$192;
- (3) physician endorsement to other states, \$40;
- (4) physician emeritus license, \$50;
- ~~(5) physician temporary license, \$60;~~
- ~~(6) (5) physician late fee, \$60;~~
- ~~(7) (6) duplicate license fee, \$20;~~
- ~~(8) (7) certification letter fee, \$25;~~
- ~~(9) (8) education or training program approval fee, \$100;~~
- ~~(10) (9) report creation and generation fee, \$60 per hour;~~
- ~~(11) (10) examination administration fee (half day), \$50;~~
- ~~(12) (11) examination administration fee (full day), \$80;~~
- ~~(13) (12) fees developed by the Interstate Commission for determining physician qualification to register and participate in the interstate medical licensure compact, as established in rules authorized in and pursuant to section 147.38, not to exceed \$1,000; and~~
- ~~(14) (13) verification fee, \$25.~~

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fee must be deposited in an account in the state government special revenue fund.

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

Sec. 2. Minnesota Statutes 2020, section 147.03, subdivision 1, is amended to read:

Subdivision 1. **Endorsement; reciprocity.** (a) The board may issue a license to practice medicine to any person who satisfies the requirements in paragraphs (b) to (e).

(b) The applicant shall satisfy all the requirements established in section 147.02, subdivision 1, paragraphs (a), (b), (d), (e), and (f), or section 147.037, subdivision 1, paragraphs (a) to (e).

(c) The applicant shall:

(1) have passed an examination prepared and graded by the Federation of State Medical Boards, the National Board of Medical Examiners, or the United States Medical Licensing Examination (USMLE) program in accordance with section 147.02, subdivision 1, paragraph (c), clause (2); the National Board of Osteopathic Medical Examiners; or the Medical Council of Canada; and

(2) have a current license from the equivalent licensing agency in another state or Canada and, if the examination in clause (1) was passed more than ten years ago, either:

(i) pass the Special Purpose Examination of the Federation of State Medical Boards with a score of 75 or better within three attempts; or

(ii) have a current certification by a specialty board of the American Board of Medical Specialties, of the American Osteopathic Association, the Royal College of Physicians and Surgeons of Canada, or of the College of Family Physicians of Canada; or

(3) if the applicant fails to meet the requirement established in section 147.02, subdivision 1, paragraph (c), clause (2), because the applicant failed to pass each of steps one, two, and three of the USMLE within the required three attempts, the applicant may be granted a license provided the applicant:

(i) has passed each of steps one, two, and three with passing scores as recommended by the USMLE program within no more than four attempts for any of the three steps;

(ii) is currently licensed in another state; and

(iii) has current certification by a specialty board of the American Board of Medical Specialties, the American Osteopathic Association Bureau of Professional Education, the Royal College of Physicians and Surgeons of Canada, or the College of Family Physicians of Canada.

(d) The applicant must not be under license suspension or revocation by the licensing board of the state or jurisdiction in which the conduct that caused the suspension or revocation occurred.

(e) The applicant must not have engaged in conduct warranting disciplinary action against a licensee, or have been subject to disciplinary action other than as specified in paragraph (d). If an

applicant does not satisfy the requirements stated in this paragraph, the board may issue a license only on the applicant's showing that the public will be protected through issuance of a license with conditions or limitations the board considers appropriate.

(f) Upon the request of an applicant, the board may conduct the final interview of the applicant by teleconference.

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

Sec. 3. Minnesota Statutes 2020, section 147.03, subdivision 2, is amended to read:

Subd. 2. **Temporary permit.** (a) An applicant for licensure under this section may request the board to issue a temporary permit in accordance with this subdivision. Upon receipt of the application for licensure, a request for a temporary permit, and a nonrefundable physician application fee specified under section 147.01, subdivision 7, the board may issue a temporary permit to practice medicine to as a physician eligible for licensure under this section only if the application for licensure is complete, all requirements in subdivision 1 have been met, and a nonrefundable fee set by the board has been paid if the applicant is:

(1) currently licensed in good standing to practice medicine as a physician in another state, territory, or Canadian province; and

(2) not the subject of a pending investigation or disciplinary action in any state, territory, or Canadian province.

The permit remains (b) A temporary permit issued under this subdivision is nonrenewable and shall be valid only until the meeting of the board at which a decision is made on the physician's application for licensure or for 90 days, whichever occurs first.

(c) The board may revoke a temporary permit that has been issued under this subdivision if the physician is the subject of an investigation or disciplinary action, or is disqualified for licensure for any other reason.

(d) Notwithstanding section 13.41, subdivision 2, the board may release information regarding action taken by the board pursuant to this subdivision.

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

Sec. 4. Minnesota Statutes 2020, section 147.037, is amended to read:

**147.037 LICENSING OF FOREIGN MEDICAL SCHOOL GRADUATES; TEMPORARY PERMIT.**

Subdivision 1. **Requirements.** The board shall issue a license to practice medicine to any person who satisfies the requirements in paragraphs (a) to (g).

(a) The applicant shall satisfy all the requirements established in section 147.02, subdivision 1, paragraphs (a), (e), (f), (g), and (h).

(b) The applicant shall present evidence satisfactory to the board that the applicant is a graduate of a medical or osteopathic school approved by the board as equivalent to accredited United States or Canadian schools based upon its faculty, curriculum, facilities, accreditation, or other relevant data. If the applicant is a graduate of a medical or osteopathic program that is not accredited by the Liaison Committee for Medical Education or the American Osteopathic Association, the applicant may use the Federation of State Medical Boards' Federation Credentials Verification Service (FCVS) or its successor. If the applicant uses this service as allowed under this paragraph, the physician application fee may be less than \$200 but must not exceed the cost of administering this paragraph.

(c) The applicant shall present evidence satisfactory to the board that the applicant has been awarded a certificate by the Educational Council for Foreign Medical Graduates, and the applicant has a working ability in the English language sufficient to communicate with patients and physicians and to engage in the practice of medicine.

(d) The applicant shall present evidence satisfactory to the board of the completion of one year of graduate, clinical medical training in a program accredited by a national accrediting organization approved by the board or other graduate training approved in advance by the board as meeting standards similar to those of a national accrediting organization. This requirement does not apply:

(1) to an applicant who is admitted as a permanent immigrant to the United States on or before October 1, 1991, as a person of exceptional ability in the sciences according to Code of Federal Regulations, title 20, section 656.22(d); or

(2) to an applicant holding a valid license to practice medicine in another country and issued a permanent immigrant visa after October 1, 1991, as a person of extraordinary ability in the field of science or as an outstanding professor or researcher according to Code of Federal Regulations, title 8, section 204.5(h) and (i), or a temporary nonimmigrant visa as a person of extraordinary ability in the field of science according to Code of Federal Regulations, title 8, section 214.2(o),

provided that a person under clause (1) or (2) is admitted pursuant to rules of the United States Department of Labor.

(e) The applicant must:

(1) have passed an examination prepared and graded by the Federation of State Medical Boards, the United States Medical Licensing Examination program in accordance with section 147.02, subdivision 1, paragraph (c), clause (2), or the Medical Council of Canada; and

(2) if the examination in clause (1) was passed more than ten years ago, either:

(i) pass the Special Purpose Examination of the Federation of State Medical Boards with a score of 75 or better within three attempts; or

(ii) have a current certification by a specialty board of the American Board of Medical Specialties, of the American Osteopathic Association, of the Royal College of Physicians and Surgeons of Canada, or of the College of Family Physicians of Canada; or

(3) if the applicant fails to meet the requirement established in section 147.02, subdivision 1, paragraph (c), clause (2), because the applicant failed to pass each of steps one, two, and three of

the USMLE within the required three attempts, the applicant may be granted a license provided the applicant:

(i) has passed each of steps one, two, and three with passing scores as recommended by the USMLE program within no more than four attempts for any of the three steps;

(ii) is currently licensed in another state; and

(iii) has current certification by a specialty board of the American Board of Medical Specialties, the American Osteopathic Association, the Royal College of Physicians and Surgeons of Canada, or the College of Family Physicians of Canada.

(f) The applicant must not be under license suspension or revocation by the licensing board of the state or jurisdiction in which the conduct that caused the suspension or revocation occurred.

(g) The applicant must not have engaged in conduct warranting disciplinary action against a licensee, or have been subject to disciplinary action other than as specified in paragraph (f). If an applicant does not satisfy the requirements stated in this paragraph, the board may issue a license only on the applicant's showing that the public will be protected through issuance of a license with conditions or limitations the board considers appropriate.

~~Subd. 1a. **Temporary permit.** The board may issue a temporary permit to practice medicine to a physician eligible for licensure under this section only if the application for licensure is complete, all requirements in subdivision 1 have been met, and a nonrefundable fee set by the board has been paid. The permit remains valid only until the meeting of the board at which a decision is made on the physician's application for licensure.~~

Subd. 2. **Medical school review.** The board may contract with any qualified person or organization for the performance of a review or investigation, including site visits if necessary, of any medical or osteopathic school prior to approving the school under section 147.02, subdivision 1, paragraph (b), or subdivision 1, paragraph (b), of this section. To the extent possible, the board shall require the school being reviewed to pay the costs of the review or investigation.

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

**Sec. 5. [147A.025] TEMPORARY PERMIT.**

(a) An applicant for licensure under section 147A.02, may request the board to issue a temporary permit in accordance with this section. Upon receipt of the application for licensure, a request for a temporary permit, and a nonrefundable physician assistant application fee as specified under section 147A.28, the board may issue a temporary permit to practice as a physician assistant if the applicant is:

(1) currently licensed in good standing to practice as a physician assistant in another state, territory, or Canadian province; and

(2) is not subject to a pending investigation or disciplinary action in any state, territory or Canadian province.

(b) A temporary permit issued under this section is nonrenewable and shall be valid until a decision is made on the physician assistant's application for licensure or for 90 days, whichever occurs first.

(c) The board may revoke the temporary permit that has been issued under this section if the applicant is the subject of an investigation or disciplinary action or is disqualified for licensure for any other reason.

(d) Notwithstanding section 13.41, subdivision 2, the board may release information regarding any action taken by the board pursuant to this section.

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

Sec. 6. Minnesota Statutes 2020, section 147A.28, is amended to read:

**147A.28 PHYSICIAN ASSISTANT APPLICATION AND LICENSE FEES.**

(a) The board may charge the following nonrefundable fees:

- (1) physician assistant application fee, \$120;
- ~~(2) physician assistant annual registration renewal fee (prescribing authority), \$135;~~
- ~~(3) (2) physician assistant annual registration license renewal fee (no prescribing authority), \$115;~~
- ~~(4) physician assistant temporary registration, \$115;~~
- ~~(5) physician assistant temporary permit, \$60;~~
- ~~(6) (3) physician assistant locum tenens permit, \$25;~~
- ~~(7) (4) physician assistant late fee, \$50;~~
- ~~(8) (5) duplicate license fee, \$20;~~
- ~~(9) (6) certification letter fee, \$25;~~
- ~~(10) (7) education or training program approval fee, \$100;~~
- ~~(11) (8) report creation and generation fee, \$60 per hour; and~~
- ~~(12) (9) verification fee, \$25.~~

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fees must be deposited in an account in the state government special revenue fund.

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

Sec. 7. Minnesota Statutes 2020, section 147C.15, subdivision 3, is amended to read:

Subd. 3. **Temporary permit.** (a) An applicant for licensure under this section may request the board to issue a temporary permit in accordance with this subdivision. Upon receipt of the application for licensure, a request for a temporary permit, and a nonrefundable respiratory therapist application fee as specified under section 147C.40, subdivision 5, the board may issue a temporary permit to practice as a respiratory therapist to an applicant eligible for licensure under this section if the application for licensure is complete, all applicable requirements in this section have been met, and a nonrefundable fee set by the board has been paid applicant is:

(1) currently licensed to practice as a respiratory therapist in another state, territory, or Canadian province; and

(2) is not subject to a pending investigation or disciplinary action in any state, territory, or Canadian province.

The (b) A temporary permit remains issued under this subdivision is nonrenewable and shall remain valid only until the meeting of the board at which a decision is made on the respiratory therapist's application for licensure or for 90 days, whichever occurs first.

(c) The board may revoke a temporary permit that has been issued under this subdivision if the applicant is the subject of an investigation or disciplinary action or is disqualified for licensure for any other reason.

(d) Notwithstanding section 13.41, subdivision 2, the board may release information regarding any action taken by a board pursuant to this section.

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

Sec. 8. Minnesota Statutes 2020, section 147C.40, subdivision 5, is amended to read:

Subd. 5. **Respiratory therapist application and license fees.** (a) The board may charge the following nonrefundable fees:

- (1) respiratory therapist application fee, \$100;
- (2) respiratory therapist annual registration renewal fee, \$90;
- (3) respiratory therapist inactive status fee, \$50;
- (4) respiratory therapist temporary registration fee, \$90;
- ~~(5) respiratory therapist temporary permit, \$60;~~
- ~~(6)~~ (5) respiratory therapist late fee, \$50;
- ~~(7)~~ (6) duplicate license fee, \$20;
- ~~(8)~~ (7) certification letter fee, \$25;
- ~~(9)~~ (8) education or training program approval fee, \$100;
- ~~(10)~~ (9) report creation and generation fee, \$60 per hour; and

~~(H)~~ (10) verification fee, \$25.

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fees must be deposited in an account in the state government special revenue fund.

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

Sec. 9. Minnesota Statutes 2020, section 148.212, subdivision 1, is amended to read:

Subdivision 1. **Issuance.** Upon receipt of the applicable licensure or reregistration fee and permit fee, and in accordance with rules of the board, the board may issue a nonrenewable temporary permit to practice professional or practical nursing to an applicant for licensure or reregistration who is not the subject of a pending investigation or disciplinary action, nor disqualified for any other reason, under the following circumstances:

(a) The applicant for licensure by endorsement under section 148.211, subdivision 2, is currently licensed to practice professional or practical nursing in another state, territory, or Canadian province. The permit is valid until the date of board action on the application or for ~~60~~ 90 days, whichever comes first.

(b) The applicant for licensure by endorsement under section 148.211, subdivision 2, or for reregistration under section 148.231, subdivision 5, is currently registered in a formal, structured refresher course or its equivalent for nurses that includes clinical practice.

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

Sec. 10. **REPEALER.**

Minnesota Statutes 2020, section 147.02, subdivision 2a, is repealed.

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

Amend the title as follows:

Page 1, line 2, delete everything after "licensing;" and insert "requiring the Board of Medical Practice to issue temporary permits to physicians, physician assistants, and respiratory therapists if certain requirements are met; extending the time a temporary permit issued by the Board of Nursing is valid"

Page 1, delete line 3

Page 1, line 4, delete everything before the semicolon

Amend the title numbers accordingly

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



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

**S.F. No. 3566:** A bill for an act relating to health care; modifying the definition of intractable pain; modifying the criteria for prescribing controlled substance for the treatment of intractable pain; amending Minnesota Statutes 2020, section 152.125.

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

Page 1, delete lines 10 and 11 and insert:

"(b) "Drug diversion" means the unlawful transfer of prescription drugs from their licit medical purpose to the illicit marketplace."

Page 1, line 21, after "physician" insert ", advanced practice registered nurse, or physician assistant" and after "physicians" insert ", advanced practice registered nurses, or physician assistants"

Page 2, lines 4 and 5, after "physician" insert ", advanced practice registered nurse, or physician assistant"

Page 2, delete lines 7 to 10 and insert:

"(d) "Palliative care" has the meaning provided in section 144A.75, subdivision 12."

Page 2, delete line 16 and insert "(1) a diagnosis of intractable pain by the treating physician, advanced practice registered nurse, or physician assistant and either by a physician, advanced practice registered nurse, or physician assistant "

Page 2, line 17, after "physician" insert ", advanced practice registered nurse, or physician assistant"

Page 3, line 17, before "opioid" insert "limited to"

Page 4, line 2, after "physician" insert a comma and delete "or"

Page 4, line 3, after "nurse" insert ", or physician assistant"

Page 4, line 21, after "must" insert "mutually agree to the treatment and"

Page 4, line 22, after "the" insert "prescriber's and the"

And when so amended the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Amendments adopted. Report adopted.

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

**S.F. No. 1847:** A bill for an act relating to health; authorizing unlicensed individuals to perform certain functions related to mortuary science; amending Minnesota Statutes 2020, sections 149A.01, subdivision 3; 149A.20, subdivision 1; 149A.90, subdivision 4.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 149A.01, subdivision 2, is amended to read:

Subd. 2. **Scope.** In Minnesota no person shall, without being licensed or registered by the commissioner of health:

- (1) take charge of or remove from the place of death a dead human body;
- (2) prepare a dead human body for final disposition, in any manner; or
- (3) arrange, direct, or supervise a funeral, memorial service, or graveside service.

Sec. 2. Minnesota Statutes 2020, section 149A.01, subdivision 3, is amended to read:

Subd. 3. **Exceptions to licensure.** (a) Except as otherwise provided in this chapter, nothing in this chapter shall in any way interfere with the duties of:

(1) an anatomical bequest program located within an accredited school of medicine or an accredited college of mortuary science;

(2) a person engaged in the performance of duties prescribed by law relating to the conditions under which unclaimed dead human bodies are held subject to anatomical study;

(3) authorized personnel from a licensed ambulance service in the performance of their duties;

(4) licensed medical personnel in the performance of their duties; or

(5) the coroner or medical examiner in the performance of the duties of their offices.

(b) This chapter does not apply to or interfere with the recognized customs or rites of any culture or recognized religion in the ceremonial washing, dressing, casketing, and public transportation of their dead, to the extent that all other provisions of this chapter are complied with.

(c) Noncompensated persons with the right to control the dead human body, under section 149A.80, subdivision 2, may remove a body from the place of death; transport the body; prepare the body for disposition, except embalming; or arrange for final disposition of the body, provided that all actions are in compliance with this chapter.

(d) Persons serving internships pursuant to section 149A.20, subdivision 6, ~~or~~ students officially registered for a practicum or clinical through a program of mortuary science accredited by the American Board of Funeral Service Education, or transfer care specialists registered pursuant to section 149A.47 are not required to be licensed, provided that the persons or students are registered with the commissioner and act under the direct and exclusive supervision of a person holding a current license to practice mortuary science in Minnesota.

(e) Notwithstanding this subdivision, nothing in this section shall be construed to prohibit an institution or entity from establishing, implementing, or enforcing a policy that permits only persons

licensed by the commissioner to remove or cause to be removed a dead body or body part from the institution or entity.

(f) An unlicensed person may arrange for and direct or supervise a memorial service if that person or that person's employer does not have charge of the dead human body. An unlicensed person may not take charge of the dead human body, unless that person has the right to control the dead human body under section 149A.80, subdivision 2, or is that person's noncompensated designee.

Sec. 3. Minnesota Statutes 2020, section 149A.02, is amended by adding a subdivision to read:

Subd. 12c. **Dead human body or body.** "Dead human body" or "body" includes an identifiable human body part that is detached from a human body.

Sec. 4. Minnesota Statutes 2020, section 149A.02, subdivision 13a, is amended to read:

Subd. 13a. **Direct supervision.** "Direct supervision" means overseeing the performance of an individual. For the purpose of a clinical, practicum, ~~or~~ internship, or registration, direct supervision means that the supervisor is available to observe and correct, as needed, the performance of the trainee or registrant. The mortician supervisor is accountable for the actions of the clinical student, practicum student, ~~or intern~~, or registrant throughout the course of the training. The supervising mortician is accountable for any violations of law or rule, in the performance of their duties, by the clinical student, practicum student, ~~or intern~~, or registrant.

Sec. 5. Minnesota Statutes 2020, section 149A.02, is amended by adding a subdivision to read:

Subd. 37d. **Registrant.** "Registrant" means any person who is registered as a transfer care specialist under section 149A.47.

Sec. 6. Minnesota Statutes 2020, section 149A.02, is amended by adding a subdivision to read:

Subd. 37e. **Transfer care specialist.** "Transfer care specialist" means an individual who is registered with the commissioner in accordance with section 149A.47 and is authorized to perform the removal of a dead human body from the place of death under the direct supervision of a licensed mortician.

Sec. 7. Minnesota Statutes 2020, section 149A.03, is amended to read:

#### **149A.03 DUTIES OF COMMISSIONER.**

The commissioner shall:

(1) enforce all laws and adopt and enforce rules relating to the:

(i) removal, preparation, transportation, arrangements for disposition, and final disposition of dead human bodies;

(ii) licensure, registration, and professional conduct of funeral directors, morticians, interns, transfer care specialists, practicum students, and clinical students;

(iii) licensing and operation of a funeral establishment;

- (iv) licensing and operation of an alkaline hydrolysis facility; and
- (v) licensing and operation of a crematory;
- (2) provide copies of the requirements for licensure, registration, and permits to all applicants;
- (3) administer examinations and issue licenses, registrations, and permits to qualified persons and other legal entities;
- (4) maintain a record of the name and location of all current licensees, registrants, and interns;
- (5) perform periodic compliance reviews and premise inspections of licensees;
- (6) accept and investigate complaints relating to conduct governed by this chapter;
- (7) maintain a record of all current preneed arrangement trust accounts;
- (8) maintain a schedule of application, examination, permit, registration, and licensure fees, initial and renewal, sufficient to cover all necessary operating expenses;
- (9) educate the public about the existence and content of the laws and rules for mortuary science licensing and the removal, preparation, transportation, arrangements for disposition, and final disposition of dead human bodies to enable consumers to file complaints against licensees and others who may have violated those laws or rules;
- (10) evaluate the laws, rules, and procedures regulating the practice of mortuary science in order to refine the standards for licensing and to improve the regulatory and enforcement methods used; and
- (11) initiate proceedings to address and remedy deficiencies and inconsistencies in the laws, rules, or procedures governing the practice of mortuary science and the removal, preparation, transportation, arrangements for disposition, and final disposition of dead human bodies.

Sec. 8. Minnesota Statutes 2020, section 149A.09, is amended to read:

**149A.09 DENIAL; REFUSAL TO REISSUE; REVOCATION; SUSPENSION; LIMITATION OF LICENSE, REGISTRATION, OR PERMIT.**

Subdivision 1. **Denial; refusal to renew; revocation; and suspension.** The regulatory agency may deny, refuse to renew, revoke, or suspend any license, registration, or permit applied for or issued pursuant to this chapter when the person subject to regulation under this chapter:

- (1) does not meet or fails to maintain the minimum qualification for holding a license, registration, or permit under this chapter;
- (2) submits false or misleading material information to the regulatory agency in connection with a license, registration, or permit issued by the regulatory agency or the application for a license, registration, or permit;

(3) violates any law, rule, order, stipulation agreement, settlement, compliance agreement, license, registration, or permit that regulates the removal, preparation, transportation, arrangements for disposition, or final disposition of dead human bodies in Minnesota or any other state in the United States;

(4) is convicted of a crime, including a finding or verdict of guilt, an admission of guilt, or a no contest plea in any court in Minnesota or any other jurisdiction in the United States. "Conviction," as used in this subdivision, includes a conviction for an offense which, if committed in this state, would be deemed a felony or gross misdemeanor without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is made or returned, but the adjudication of guilt is either withheld or not entered;

(5) is convicted of a crime, including a finding or verdict of guilt, an admission of guilt, or a no contest plea in any court in Minnesota or any other jurisdiction in the United States that the regulatory agency determines is reasonably related to the removal, preparation, transportation, arrangements for disposition or final disposition of dead human bodies, or the practice of mortuary science;

(6) is adjudicated as mentally incompetent, mentally ill, developmentally disabled, or mentally ill and dangerous to the public;

(7) has a conservator or guardian appointed;

(8) fails to comply with an order issued by the regulatory agency or fails to pay an administrative penalty imposed by the regulatory agency;

(9) owes uncontested delinquent taxes in the amount of \$500 or more to the Minnesota Department of Revenue, or any other governmental agency authorized to collect taxes anywhere in the United States;

(10) is in arrears on any court ordered family or child support obligations; or

(11) engages in any conduct that, in the determination of the regulatory agency, is unprofessional as prescribed in section 149A.70, subdivision 7, or renders the person unfit to practice mortuary science or to operate a funeral establishment or crematory.

**Subd. 2. Hearings related to refusal to renew, suspension, or revocation of license, registration, or permit.** If the regulatory agency proposes to deny renewal, suspend, or revoke a license, registration, or permit issued under this chapter, the regulatory agency must first notify, in writing, the person against whom the action is proposed to be taken and provide an opportunity to request a hearing under the contested case provisions of sections 14.57 to 14.62. If the subject of the proposed action does not request a hearing by notifying the regulatory agency, by mail, within 20 calendar days after the receipt of the notice of proposed action, the regulatory agency may proceed with the action without a hearing and the action will be the final order of the regulatory agency.

**Subd. 3. Review of final order.** A judicial review of the final order issued by the regulatory agency may be requested in the manner prescribed in sections 14.63 to 14.69. Failure to request a hearing pursuant to subdivision 2 shall constitute a waiver of the right to further agency or judicial review of the final order.

Subd. 4. **Limitations or qualifications placed on license, registration, or permit.** The regulatory agency may, where the facts support such action, place reasonable limitations or qualifications on the right to practice mortuary science ~~or~~ to operate a funeral establishment or crematory, or to conduct activities or actions permitted under this chapter.

Subd. 5. **Restoring license, registration, or permit.** The regulatory agency may, where there is sufficient reason, restore a license, registration, or permit that has been revoked, reduce a period of suspension, or remove limitations or qualifications.

Sec. 9. Minnesota Statutes 2020, section 149A.11, is amended to read:

#### **149A.11 PUBLICATION OF DISCIPLINARY ACTIONS.**

The regulatory agencies shall report all disciplinary measures or actions taken to the commissioner. At least annually, the commissioner shall publish and make available to the public a description of all disciplinary measures or actions taken by the regulatory agencies. The publication shall include, for each disciplinary measure or action taken, the name and business address of the licensee, registrant, or intern; the nature of the misconduct; and the measure or action taken by the regulatory agency.

#### **Sec. 10. [149A.47] TRANSFER CARE SPECIALIST.**

Subdivision 1. **General.** A transfer care specialist may remove a dead human body from the place of death under the direct supervision of a licensed mortician if the transfer care specialist is registered with the commissioner in accordance with this section. A transfer care specialist is not licensed to engage in the practice of mortuary science and shall not engage in the practice of mortuary science except as provided in this section.

Subd. 2. **Registration.** To be eligible for registration as a transfer care specialist, an applicant must submit to the commissioner:

(1) a complete application on a form provided by the commissioner that includes at a minimum:

(i) the applicant's name, home address and telephone number, business name, and business address and telephone number; and

(ii) the name, license number, business name, and business address and telephone number of the supervising licensed mortician;

(2) proof of completion of a training program that meets the requirements specified in subdivision 4; and

(3) the appropriate fees specified in section 149A.65.

Subd. 3. **Duties.** A transfer care specialist registered under this section is authorized to perform the removal of a dead human body from the place of death in accordance with this chapter to a licensed funeral establishment. The transfer care specialist must work under the direct supervision of a licensed mortician. The supervising mortician is responsible for the work performed by the transfer care specialist. A licensed mortician may supervise up to six transfer care specialists at any one time.

Subd. 4. **Training program.** (a) Each transfer care specialist must complete a training program that has been approved by the commissioner. To be approved, a training program must be at least seven hours long and must cover, at a minimum, the following:

(1) ethical care and transportation procedures for a deceased person;

(2) health and safety concerns to the public and the individual performing the transfer of the deceased person; and

(3) all relevant state and federal laws and regulations related to the transfer and transportation of deceased persons.

(b) A transfer care specialist must complete a training program every five years.

Subd. 5. **Registration renewal.** (a) A registration issued under this section expires one year after the date of issuance and must be renewed to remain valid.

(b) To renew a registration, the transfer care specialist must submit a completed renewal application as provided by the commissioner and the appropriate fees specified in section 149A.65. Every five years, the renewal application must include proof of completion of a training program that meets the requirements in subdivision 4.

Sec. 11. Minnesota Statutes 2020, section 149A.60, is amended to read:

#### **149A.60 PROHIBITED CONDUCT.**

The regulatory agency may impose disciplinary measures or take disciplinary action against a person whose conduct is subject to regulation under this chapter for failure to comply with any provision of this chapter or laws, rules, orders, stipulation agreements, settlements, compliance agreements, licenses, registrations, and permits adopted, or issued for the regulation of the removal, preparation, transportation, arrangements for disposition or final disposition of dead human bodies, or for the regulation of the practice of mortuary science.

Sec. 12. Minnesota Statutes 2020, section 149A.61, subdivision 4, is amended to read:

Subd. 4. **Licensees, registrants, and interns.** A licensee, registrant, or intern regulated under this chapter may report to the commissioner any conduct that the licensee, registrant, or intern has personal knowledge of, and reasonably believes constitutes grounds for, disciplinary action under this chapter.

Sec. 13. Minnesota Statutes 2020, section 149A.61, subdivision 5, is amended to read:

Subd. 5. **Courts.** The court administrator of district court or any court of competent jurisdiction shall report to the commissioner any judgment or other determination of the court that adjudges or includes a finding that a licensee, registrant, or intern is a person who is mentally ill, mentally incompetent, guilty of a felony or gross misdemeanor, guilty of violations of federal or state narcotics laws or controlled substances acts; appoints a guardian or conservator for the licensee, registrant, or intern; or commits a licensee, registrant, or intern.

Sec. 14. Minnesota Statutes 2020, section 149A.62, is amended to read:

**149A.62 IMMUNITY; REPORTING.**

Any person, private agency, organization, society, association, licensee, registrant, or intern who, in good faith, submits information to a regulatory agency under section 149A.61 or otherwise reports violations or alleged violations of this chapter, is immune from civil liability or criminal prosecution. This section does not prohibit disciplinary action taken by the commissioner against any licensee, registrant, or intern pursuant to a self report of a violation.

Sec. 15. Minnesota Statutes 2020, section 149A.63, is amended to read:

**149A.63 PROFESSIONAL COOPERATION.**

A licensee, clinical student, practicum student, registrant, intern, or applicant for licensure under this chapter that is the subject of or part of an inspection or investigation by the commissioner or the commissioner's designee shall cooperate fully with the inspection or investigation. Failure to cooperate constitutes grounds for disciplinary action under this chapter.

Sec. 16. Minnesota Statutes 2020, section 149A.65, subdivision 2, is amended to read:

Subd. 2. **Mortuary science fees.** Fees for mortuary science are:

- (1) \$75 for the initial and renewal registration of a mortuary science intern;
- (2) \$125 for the mortuary science examination;
- (3) \$200 for issuance of initial and renewal mortuary science licenses;
- (4) \$100 late fee charge for a license renewal; ~~and~~
- (5) \$250 for issuing a mortuary science license by endorsement; and
- (6) \$..... for the initial and renewal registration of a transfer care specialist.

Sec. 17. Minnesota Statutes 2020, section 149A.70, subdivision 3, is amended to read:

Subd. 3. **Advertising.** No licensee, registrant, clinical student, practicum student, or intern shall publish or disseminate false, misleading, or deceptive advertising. False, misleading, or deceptive advertising includes, but is not limited to:

- (1) identifying, by using the names or pictures of, persons who are not licensed to practice mortuary science in a way that leads the public to believe that those persons will provide mortuary science services;
- (2) using any name other than the names under which the funeral establishment, alkaline hydrolysis facility, or crematory is known to or licensed by the commissioner;
- (3) using a surname not directly, actively, or presently associated with a licensed funeral establishment, alkaline hydrolysis facility, or crematory, unless the surname had been previously and continuously used by the licensed funeral establishment, alkaline hydrolysis facility, or crematory; and



(4) using a founding or establishing date or total years of service not directly or continuously related to a name under which the funeral establishment, alkaline hydrolysis facility, or crematory is currently or was previously licensed.

Any advertising or other printed material that contains the names or pictures of persons affiliated with a funeral establishment, alkaline hydrolysis facility, or crematory shall state the position held by the persons and shall identify each person who is licensed or unlicensed under this chapter.

Sec. 18. Minnesota Statutes 2020, section 149A.70, subdivision 4, is amended to read:

Subd. 4. **Solicitation of business.** No licensee shall directly or indirectly pay or cause to be paid any sum of money or other valuable consideration for the securing of business or for obtaining the authority to dispose of any dead human body.

For purposes of this subdivision, licensee includes a registered intern or transfer care specialist or any agent, representative, employee, or person acting on behalf of the licensee.

Sec. 19. Minnesota Statutes 2020, section 149A.70, subdivision 5, is amended to read:

Subd. 5. **Reimbursement prohibited.** No licensee, clinical student, practicum student, ~~or intern,~~ or transfer care specialist shall offer, solicit, or accept a commission, fee, bonus, rebate, or other reimbursement in consideration for recommending or causing a dead human body to be disposed of by a specific body donation program, funeral establishment, alkaline hydrolysis facility, crematory, mausoleum, or cemetery.

Sec. 20. Minnesota Statutes 2020, section 149A.70, subdivision 7, is amended to read:

Subd. 7. **Unprofessional conduct.** No licensee, registrant, or intern shall engage in or permit others under the licensee's, registrant's, or intern's supervision or employment to engage in unprofessional conduct. Unprofessional conduct includes, but is not limited to:

(1) harassing, abusing, or intimidating a customer, employee, or any other person encountered while within the scope of practice, employment, or business;

(2) using profane, indecent, or obscene language within the immediate hearing of the family or relatives of the deceased;

(3) failure to treat with dignity and respect the body of the deceased, any member of the family or relatives of the deceased, any employee, or any other person encountered while within the scope of practice, employment, or business;

(4) the habitual overindulgence in the use of or dependence on intoxicating liquors, prescription drugs, over-the-counter drugs, illegal drugs, or any other mood altering substances that substantially impair a person's work-related judgment or performance;

(5) revealing personally identifiable facts, data, or information about a decedent, customer, member of the decedent's family, or employee acquired in the practice or business without the prior consent of the individual, except as authorized by law;

(6) intentionally misleading or deceiving any customer in the sale of any goods or services provided by the licensee;

(7) knowingly making a false statement in the procuring, preparation, or filing of any required permit or document; or

(8) knowingly making a false statement on a record of death.

Sec. 21. Minnesota Statutes 2020, section 149A.90, subdivision 2, is amended to read:

Subd. 2. **Removal from place of death.** No person subject to regulation under this chapter shall remove or cause to be removed any dead human body from the place of death without being licensed or registered by the commissioner. Every dead human body shall be removed from the place of death by a licensed mortician or funeral director, except as provided in section 149A.01, subdivision 3, or 149A.47.

Sec. 22. Minnesota Statutes 2020, section 149A.90, subdivision 4, is amended to read:

Subd. 4. **Certificate of removal.** No dead human body shall be removed from the place of death by a mortician or funeral director, or transfer care specialist or by a noncompensated person with the right to control the dead human body without the completion of a certificate of removal and, where possible, presentation of a copy of that certificate to the person or a representative of the legal entity with physical or legal custody of the body at the death site. The certificate of removal shall be in the format provided by the commissioner that contains, at least, the following information:

(1) the name of the deceased, if known;

(2) the date and time of removal;

(3) a brief listing of the type and condition of any personal property removed with the body;

(4) the location to which the body is being taken;

(5) the name, business address, and license number of the individual making the removal; and

(6) the signatures of the individual making the removal and, where possible, the individual or representative of the legal entity with physical or legal custody of the body at the death site.

Sec. 23. Minnesota Statutes 2020, section 149A.90, subdivision 5, is amended to read:

Subd. 5. **Retention of certificate of removal.** A copy of the certificate of removal shall be given, where possible, to the person or representative of the legal entity having physical or legal custody of the body at the death site. The original certificate of removal shall be retained by the individual making the removal and shall be kept on file, at the funeral establishment to which the body was taken, for a period of three calendar years following the date of the removal. If the removal was performed by a transfer care specialist not employed by the funeral establishment to which the body was taken, the transfer care specialist shall retain a copy of the certificate on file at the transfer care specialist's business address as registered with the commissioner for a period of three calendar years following the date of removal. Following this period, and subject to any other laws requiring retention of records, the funeral establishment may then place the records in storage or reduce them

to microfilm, microfiche, laser disc, or any other method that can produce an accurate reproduction of the original record, for retention for a period of ten calendar years from the date of the removal of the body. At the end of this period and subject to any other laws requiring retention of records, the funeral establishment may destroy the records by shredding, incineration, or any other manner that protects the privacy of the individuals identified in the records.

Sec. 24. Minnesota Statutes 2020, section 149A.94, subdivision 1, is amended to read:

Subdivision 1. **Generally.** (a) Every dead human body lying within the state, except unclaimed bodies delivered for dissection by the medical examiner, those delivered for anatomical study pursuant to section 149A.81, subdivision 2, or lawfully carried through the state for the purpose of disposition elsewhere; and the remains of any dead human body after dissection or anatomical study, shall be decently buried or entombed in a public or private cemetery, alkaline hydrolyzed, or cremated within a reasonable time after death. Where final disposition of a body will not be accomplished within 72 hours following death or release of the body by a competent authority with jurisdiction over the body, the body must be properly embalmed, refrigerated, or packed with dry ice. A body may not be kept in refrigeration for a period exceeding six calendar days, or packed in dry ice for a period that exceeds four calendar days, from the time of death or release of the body from the coroner or medical examiner. A body may be kept in refrigeration for up to 30 calendar days from the time of death or release of the body from the coroner or medical examiner, provided the dignity of the body is maintained and the funeral establishment complies with paragraph (b) if applicable. A body may be kept in refrigeration for more than 30 calendar days from the time of death or release of the body from the coroner or medical examiner provided that the dignity of the body is maintained and the funeral establishment complies with paragraph (c).

(b) For a body to be kept in refrigeration for between 15 and 30 calendar days, the funeral establishment must notify the person who has the right of control over final disposition of the body no later than the 14th day of keeping the body in refrigeration that the body will be kept in refrigeration for more than 14 calendar days and that the person has the right to seek other arrangements.

(c) For a body to be kept in refrigeration for more than 30 calendar days, the funeral establishment must have complied with paragraph (b) and must submit a report to the commissioner on a form and in a manner prescribed by the commissioner that includes the following:

(1) the body identification details as determined by the commissioner;

(2) the funeral establishment's plan to achieve final disposition of the body within the time frame permitted under paragraph (d); and

(3) any other information required by the commissioner.

(d) Upon the submission of the report required under paragraph (c), the funeral establishment is authorized to keep a body in refrigeration for an additional 30 calendar days. Failure to submit this required report may subject the funeral establishment to administrative enforcement actions authorized under this chapter."

Delete the title and insert:

"A bill for an act relating to health; providing for registration of transfer care specialists; authorizing a transfer care specialist to remove a dead human body from the place of death; providing for refrigeration of dead human bodies for certain time periods; amending Minnesota Statutes 2020, sections 149A.01, subdivisions 2, 3; 149A.02, subdivision 13a, by adding subdivisions; 149A.03; 149A.09; 149A.11; 149A.60; 149A.61, subdivisions 4, 5; 149A.62; 149A.63; 149A.65, subdivision 2; 149A.70, subdivisions 3, 4, 5, 7; 149A.90, subdivisions 2, 4, 5; 149A.94, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 149A."

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

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

**S.F. No. 3574:** A bill for an act relating to health; transferring the administration of the fetal alcohol spectrum disorders prevention grants to the Department of Health; establishing the base general fund amount for fetal alcohol spectrum disorders prevention grants; making base level adjustments for health improvement in certain fiscal years; requiring a report; amending Laws 2021, First Special Session chapter 7, article 16, section 2, subdivision 33; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2020, section 254A.21.

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

Page 2, line 6, delete "human services" and insert "health"

Page 3, line 15, delete "\$1,250,000" and insert "\$750,000" and delete "\$1,250,000" and insert "\$750,000"

Page 3, delete lines 17 to 21

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

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

**H.F. No. 2746:** A bill for an act relating to public safety; clarifying eligibility for participation in the Hometown Heroes Act; transferring money; amending Laws 2021, First Special Session chapter 11, article 2, section 12.

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

**Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred**

**S.F. No. 3744:** A bill for an act relating to education; modifying hours of instruction requirements; amending Minnesota Statutes 2020, section 120A.41.

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

Page 1, line 19, after "(c)" insert "For students in high school."

Page 1, line 21, delete everything after the period and insert "All courses must be coordinated and verified by a qualified teacher, as defined in section 122A.16."

Page 1, delete line 22

Page 2, delete lines 1 to 11

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

**Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred**

**S.F. No. 2291:** A bill for an act relating to education; modifying requirements for interpreters; amending Minnesota Statutes 2020, section 122A.31, subdivision 1.

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

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

**S.F. No. 3818:** A bill for an act relating to education; establishing a youth skill path program for employment-based training; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Page 1, delete lines 16 to 20

Page 1, line 21, delete "(d)" and insert "(c)"

Page 2, line 3, after "A" insert "secondary" and delete "tribal" and insert "Tribal"

Page 2, line 4, delete "or nonpublic school" and insert "vocational center school, or a nonpublic school, or any combination of schools,"

Page 2, line 13, delete "designed" and insert "designated"

Page 2, line 26, delete "childcare" and insert "child care" and after the fourth comma, insert "energy,"

Page 2, delete subdivision 7

Page 3, delete subdivision 8

Page 4, before line 5, insert:

"Sec. 2. [136A.247] SKILLS PATH GRANT PROGRAM.

(a) The commissioner of higher education shall award grants up to \$50,000 per grant to up to ten secondary schools annually for skills path programs that align career and technical education dual credit program options with employment-based training opportunities. Applications must demonstrate how grant funding will provide students with clear pathways from high school to postsecondary training that lead to careers in skilled work and the trades. The commissioner of higher education may work with the commissioner of education and the commissioner of labor to develop the grant application and administer the grants.

(b) A secondary school awarded a grant under this section must use the grant award for any of the following implementation and coordination activities:

(1) marketing efforts to students about skills path program opportunities;

(2) coordinating academic, vocational, and occupational learning, school-based and work-based learning, and secondary and postsecondary education for participants in the program;

(3) reimbursement of tuition, books, required tools, and other expenses necessary for participation in the program; and

(4) any other implementation or coordination activity that the commissioner may direct or permit the eligible institution to perform.

(c) Grant awards may not be used to pay the wages of a student directly or indirectly.

(d) The following information must be included in the grant application:

(1) the identity of each secondary school that is a participant in the skills path program;

(2) the identity of each registered apprenticeship program or apprenticeship readiness program, dual-training program, workforce training program at an opportunities industrialization center, or other work-based learning program in which the student has the opportunity for paid employment that is a participant in the skills path program;

(3) the identity of each postsecondary institution, intermediate school district, public agency, nonprofit organization, union, career and technical education consortium, or workforce development authority that is a participant in the skills path program;

(4) the identity of any employers participating in the skills path program;

(5) a description of any career connected learning components;

(6) a description of the career and technical education dual-credit program options;

(7) a description of any postsecondary education components in the skills path program;

(8) a description of employment-based training opportunities; and

(9) applicable career planning information."

Page 4, line 6, delete "(a) \$400,000" and insert "\$500,000"

Page 4, line 8, delete "124D.351" and insert "136A.247" and delete "\$400,000" and insert "\$500,000. The commissioner may expend up to five percent of this appropriation for administration of the grant program."

Page 4, delete lines 9 to 11

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "youth skill" and insert "skills"

Amend the title numbers accordingly

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

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

S.F. Nos. 2644, 1040, 181, 3071, and 3744 were read the second time.

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

H.F. Nos. 2819, 3001, 3254, 3379, 3682, and 2919 were read the second time.

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

The following bills were read the first time.

#### **Senators Duckworth, Lang, Howe, Rarick, and Hoffman introduced--**

**S.F. No. 4261:** A bill for an act relating to capital investment; appropriating money for a new aircraft shelter at the Duluth Air National Guard Base.

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

#### **Senator Senjem introduced--**

**S.F. No. 4262:** A bill for an act relating to energy; creating a process regulated by the Public Utilities Commission allowing natural gas utilities to sell bonds as a way to reduce economic impacts on customers when extraordinary events damage utility infrastructure or impose significant costs; establishing an account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

**Senator Ingebrigtsen introduced--**

**S.F. No. 4263:** A bill for an act relating to corrections; appropriating money for The Redemption Project to assist inmates to transition from incarceration to the community.

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

**Senator Ingebrigtsen introduced--**

**S.F. No. 4264:** A bill for an act relating to corrections; directing the commissioner of corrections to issue a grant to a qualified nongovernmental organization to assist inmates in finding meaningful employment after release from incarceration; appropriating money.

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

**Senator Eken introduced--**

**S.F. No. 4265:** A bill for an act relating to elections; providing for ranked-choice voting in elections for federal and state offices; authorizing jurisdictions to adopt ranked-choice voting for local offices; establishing procedures for adoption, implementation, and use of ranked-choice voting; allowing municipalities to use electronic voting systems with a reallocation feature; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2020, sections 204B.27, by adding a subdivision; 204B.34, subdivision 1; 204B.35, subdivision 1; 204C.19, by adding a subdivision; 204C.21, by adding a subdivision; 204C.24, subdivision 1; 204C.32, subdivision 1; 204C.33, subdivisions 1, 3; 204D.08, subdivision 5; 204D.10, subdivisions 1, 3; 204D.11, subdivision 1; 205.13, subdivision 2; 206.58, subdivision 1; 206.83; 206.89, subdivisions 2, 3; 207A.12; 208.05; Minnesota Statutes 2021 Supplement, section 204D.08, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 204E.

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

**Senator Eken introduced--**

**S.F. No. 4266:** A bill for an act relating to capital investment; appropriating money for West Central Regional Water System; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Capital Investment.

**Senator Duckworth introduced--**

**S.F. No. 4267:** A bill for an act relating to education finance; authorizing mental health grants for federal instructional setting level 4 for special education sites; appropriating money.

Referred to the Committee on Education Finance and Policy.



**Senator Duckworth introduced--**

**S.F. No. 4268:** A bill for an act relating to education; requiring due process forms and procedures time for teachers; amending Minnesota Statutes 2020, section 122A.50.

Referred to the Committee on Education Finance and Policy.

**Senator Senjem introduced--**

**S.F. No. 4269:** A bill for an act relating to utilities; modifying submission dates for certain reports; amending Minnesota Statutes 2020, sections 216B.096, subdivision 11; 237.55.

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

**Senator Rarick introduced--**

**S.F. No. 4270:** A bill for an act relating to retirement; Public Employees Retirement Association; excluding persons employed by the Duluth Transit Authority under a collective bargaining agreement with the Teamsters from participation in the general employees retirement plan; amending Minnesota Statutes 2021 Supplement, section 353.01, subdivision 2b.

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

**Senator Mathews introduced--**

**S.F. No. 4271:** A bill for an act relating to transportation; amending the description of Legislative Route 25; amending Minnesota Statutes 2020, section 161.114, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

**Senator Port introduced--**

**S.F. No. 4272:** A bill for an act relating to capital investment; appropriating money for road and bridge improvements in the city of Savage; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Port introduced--**

**S.F. No. 4273:** A bill for an act relating to unemployment insurance; authorizing data sharing with the attorney general; amending Minnesota Statutes 2020, section 268.19, subdivision 1.

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

**Senators López Franzen and Kunesh introduced--**

**S.F. No. 4274:** A bill for an act relating to corporations; requiring publicly held corporations to have a minimum number of female directors and directors from underrepresented communities;

imposing penalties; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 302A.

Referred to the Committee on Civil Law and Data Practices Policy.

**Senators Benson, Eichorn, Johnson, and Mathews introduced--**

**S.F. No. 4275:** A resolution urging the President of the United States to consider the current geopolitical tensions and support policies and take measures to ensure America's long-term energy affordability, security, leadership and progress, including actions that result in the continued operation of existing oil and natural gas pipelines, the construction of new pipelines, and an end to restrictions on developing our nation's onshore and offshore oil and natural gas resources.

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

**Senator Utke introduced--**

**S.F. No. 4276:** A bill for an act relating to environment; appropriating money to demolish and remediate abandoned Williams School building.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 4277:** A bill for an act relating to capital investment; appropriating money for production studio improvements in the city of Chisholm; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Utke introduced--**

**S.F. No. 4278:** A bill for an act relating to capital investment; appropriating money for drinking water and sanitary sewer improvements in the city of Bagley; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Eaton introduced--**

**S.F. No. 4279:** A bill for an act relating to game and fish; prohibiting trapping without permission on certain private lands; amending Minnesota Statutes 2020, section 97B.001, by adding a subdivision.

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

**Senator Westrom introduced--**

**S.F. No. 4280:** A bill for an act relating to animals; modifying an exemption to regulated animal possession prohibitions and requirements; amending Minnesota Statutes 2020, section 346.155, subdivision 7.

Referred to the Committee on Agriculture and Rural Development Finance and Policy.

**Senator Westrom introduced--**

**S.F. No. 4281:** A bill for an act relating to agriculture; expanding eligibility for beginning farmer tax credits; amending Minnesota Statutes 2020, section 41B.0391, subdivision 1.

Referred to the Committee on Agriculture and Rural Development Finance and Policy.

**Senators Kunesh, Clausen, and Carlson introduced--**

**S.F. No. 4282:** A bill for an act relating to capital investment; appropriating money for a monument to missing and murdered indigenous women.

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

**Senator Carlson introduced--**

**S.F. No. 4283:** A bill for an act relating to health; establishing health record retention requirements for physicians who perform eye surgery; establishing a fee; classifying certain data; proposing coding for new law in Minnesota Statutes, chapter 144.

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

**Senator Nelson introduced--**

**S.F. No. 4284:** A bill for an act relating to public finance; modifying local government debt financing; amending Minnesota Statutes 2020, sections 123B.61; 366.095, subdivision 1; 373.01, subdivision 3; 383B.117, subdivision 2; 410.32; 412.301.

Referred to the Committee on Local Government Policy.

**Senators Goggin, Rarick, Howe, and Dornink introduced--**

**S.F. No. 4285:** A bill for an act relating to workforce development; appropriating money for apprenticeship preparation programming.

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

**Senators Murphy and Coleman introduced--**

**S.F. No. 4286:** A bill for an act relating to public safety; appropriating money for juvenile delinquency treatment homes and violence prevention and wellness efforts in Ramsey County.

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

**Senator Frentz introduced--**

**S.F. No. 4287:** A bill for an act relating to capital investment; appropriating money for a regional sports facility at Minnesota State University Mankato; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Frentz, Rosen, and Wiklund introduced--**

**S.F. No. 4288:** A bill for an act relating to human services; modifying funding for adult mental health initiatives; appropriating money; amending Minnesota Statutes 2020, section 245.4661, by adding a subdivision.

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

**Senators Eichorn, Ingebrigtsen, and Lang introduced--**

**S.F. No. 4289:** A bill for an act relating to natural resources; modifying the Legislative-Citizen Commission on Minnesota Resources member terms; modifying expenditure of environment and natural resources trust fund; amending Minnesota Statutes 2020, sections 116P.05, subdivisions 1, 2; 116P.08, subdivisions 1, 2; 116P.12, subdivision 1; repealing Minnesota Statutes 2020, section 116P.05, subdivision 1a.

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

**Senators Westrom, Johnson, Eichorn, Mathews, and Dornink introduced--**

**S.F. No. 4290:** A bill for an act relating to elections; establishing a procedure for the chair of either of the state's two largest major political parties to request a forensic audit of a state primary or state general election; proposing coding for new law in Minnesota Statutes, chapter 204C.

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

**Senators Goggin and Senjem introduced--**

**S.F. No. 4291:** A bill for an act relating to capital investment; appropriating money for a new regional wastewater treatment facility in Goodhue County.

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

**Senator Utke introduced--**

**S.F. No. 4292:** A bill for an act relating to health care; permitting temporary practice by health care providers from other jurisdictions.

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

**Senators Dzedzic, Frentz, Housley, Duckworth, and López Franzen introduced--**

**S.F. No. 4293:** A bill for an act relating to state government; appropriating money for humanitarian relief aid for Ukraine; requiring a report.

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

**Senators Frentz, Pappas, Cwodzinski, Klein, and Putnam introduced--**

**S.F. No. 4294:** A bill for an act relating to retirement; Minnesota State Retirement System plans, Public Employees Retirement Association plans, Teachers Retirement Association, Minnesota state higher education individual retirement account plan, and St. Paul Teachers Retirement Fund Association; increasing postretirement adjustment rates; temporarily reducing employee contribution rates; reducing the investment rate of return actuarial assumption; increasing and extending direct state aid to the public employees police and fire retirement plan, the St. Paul Teachers Retirement Fund Association, and the judges retirement plan; appropriating money; amending Minnesota Statutes 2020, sections 352.04, subdivision 2; 352.92, subdivision 1; 352B.02, subdivision 1a; 353.27, subdivisions 2, 3c; 353.65, subdivisions 2, 3b; 353E.03, subdivision 1; 354.42, subdivision 2; 354A.12, subdivisions 3a, 3c; 354A.29, subdivision 7; 354B.23, subdivision 1; 356.215, subdivision 8; 356.415, subdivisions 1, 1a, 1b, 1c, 1d, 1e; 490.123, subdivisions 1a, 5; Minnesota Statutes 2021 Supplement, sections 354A.12, subdivision 1; 356.415, subdivision 1f.

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

**Senators Wiger and Pappas introduced--**

**S.F. No. 4295:** A bill for an act relating to capital investment; amending and extending availability of a 2018 appropriation of bond proceeds for Lake Links Trail; amending Laws 2018, chapter 214, article 1, section 17, subdivision 7, as amended.

Referred to the Committee on Capital Investment.

**Senator Anderson introduced--**

**S.F. No. 4296:** A bill for an act relating to capital investment; appropriating money for water improvements in the city of South Haven; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**MOTIONS AND RESOLUTIONS**

Senator Abeler moved that the name of Senator Isaacson be added as a co-author to S.F. No. 15. The motion prevailed.

Senator Clausen moved that the name of Senator Frentz be added as a co-author to S.F. No. 108. The motion prevailed.

Senator Bigham moved that the name of Senator Klein be added as a co-author to S.F. No. 1001. The motion prevailed.

Senator Housley moved that the name of Senator Dziedzic be added as a co-author to S.F. No. 1928. The motion prevailed.

Senator Kunesh moved that the name of Senator Dziedzic be added as a co-author to S.F. No. 1965. The motion prevailed.

Senator Champion moved that the name of Senator Kunesh be added as a co-author to S.F. No. 2081. The motion prevailed.

Senator Murphy moved that the name of Senator Abeler be added as a co-author to S.F. No. 2218. The motion prevailed.

Senator Housley moved that the name of Senator Johnson Stewart be added as a co-author to S.F. No. 2971. The motion prevailed.

Senator Mathews moved that the name of Senator Koran be added as a co-author to S.F. No. 3065. The motion prevailed.

Senator Wiger moved that the name of Senator Senjem be added as a co-author to S.F. No. 3117. The motion prevailed.

Senator Rest moved that the name of Senator Wiklund be added as a co-author to S.F. No. 3192. The motion prevailed.

Senator Champion moved that the name of Senator Kunesh be added as a co-author to S.F. No. 3198. The motion prevailed.

Senator Abeler moved that the name of Senator Fateh be added as a co-author to S.F. No. 3279. The motion prevailed.

Senator Wiklund moved that the name of Senator Nelson be added as a co-author to S.F. No. 3379. The motion prevailed.

Senator Koran moved that the name of Senator Clausen be added as a co-author to S.F. No. 3424. The motion prevailed.

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

Senator Westrom moved that the name of Senator Anderson be added as a co-author to S.F. No. 3479. The motion prevailed.

Senator Pratt moved that the name of Senator Coleman be added as a co-author to S.F. No. 3614. The motion prevailed.

Senator Draheim moved that the name of Senator Pratt be added as a co-author to S.F. No. 3676. The motion prevailed.

Senator Johnson Stewart moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 3707. The motion prevailed.

Senator Bigham moved that the name of Senator Klein be added as a co-author to S.F. No. 3777. The motion prevailed.

Senator Mathews moved that the name of Senator Bigham be added as a co-author to S.F. No. 3805. The motion prevailed.

Senator Bigham moved that the name of Senator Klein be added as a co-author to S.F. No. 3819. The motion prevailed.

Senator Bigham moved that the name of Senator Klein be added as a co-author to S.F. No. 3891. The motion prevailed.

Senator Bigham moved that the name of Senator Klein be added as a co-author to S.F. No. 3892. The motion prevailed.

Senator Bigham moved that the name of Senator Klein be added as a co-author to S.F. No. 3895. The motion prevailed.

Senator Dziedzic moved that the name of Senator Fateh be added as a co-author to S.F. No. 3957. The motion prevailed.

Senator Klein moved that the name of Senator Bigham be added as a co-author to S.F. No. 3971. The motion prevailed.

Senator Draheim moved that the name of Senator Housley be added as a co-author to S.F. No. 3993. The motion prevailed.

Senator Duckworth moved that the name of Senator Howe be added as a co-author to S.F. No. 4018. The motion prevailed.

Senator Jasinski moved that the name of Senator Clausen be added as a co-author to S.F. No. 4023. The motion prevailed.

Senator Newton moved that the name of Senator Westrom be added as a co-author to S.F. No. 4038. The motion prevailed.

Senator Latz moved that the name of Senator Isaacson be added as a co-author to S.F. No. 4039. The motion prevailed.

Senator Coleman moved that the name of Senator Wiger be added as a co-author to S.F. No. 4087. The motion prevailed.

Senator Senjem moved that the names of Senators Rarick, Pappas, and Abeler be added as co-authors to S.F. No. 4121. The motion prevailed.

Senator Johnson Stewart moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 4128. The motion prevailed.

Senator Champion moved that the name of Senator Pappas be added as a co-author to S.F. No. 4140. The motion prevailed.

Senator Howe moved that the name of Senator Putnam be added as a co-author to S.F. No. 4160. The motion prevailed.

Senator Newton moved that the name of Senator Klein be added as a co-author to S.F. No. 4162. The motion prevailed.

Senator Champion moved that the name of Senator Pappas be added as a co-author to S.F. No. 4190. The motion prevailed.

Senator Dibble moved that the names of Senators Isaacson and McEwen be added as co-authors to S.F. No. 4194. The motion prevailed.

Senator Cwodzinski moved that the name of Senator Pappas be added as a co-author to S.F. No. 4222. The motion prevailed.

Senator Kunesh moved that the name of Senator McEwen be added as a co-author to S.F. No. 4249. The motion prevailed.

Senator Ingebrigtsen moved that S.F. No. 3492 be withdrawn from the Committee on Human Services Reform Finance and Policy and re-referred to the Committee on Civil Law and Data Practices Policy. The motion prevailed.

Senator Coleman moved that S.F. No. 4148 be withdrawn from the Committee on Capital Investment and returned to its author. The motion prevailed.

### SPECIAL ORDERS

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

S.F. No. 2736.

### SPECIAL ORDER

**S.F. No. 2736:** A bill for an act relating to children; establishing juvenile court guardianship for at-risk youth; amending Minnesota Statutes 2020, section 260C.101, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 257D.

S.F. No. 2736 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Chamberlain	Dibble	Eichorn	Hawj
Anderson	Champion	Dornink	Eken	Hoffman
Bakk	Clausen	Draheim	Fateh	Housley
Benson	Coleman	Duckworth	Frentz	Howe
Bigham	Cwodzinski	Dziedzic	Gazelka	Ingebrigtsen
Carlson	Dahms	Eaton	Goggin	Isaacson



Jasinski	Lang	Nelson	Rarick	Weber
Johnson	Limmer	Newman	Rest	Westrom
Johnson Stewart	López Franzen	Newton	Rosen	Wiger
Kent	Marty	Osmek	Ruud	Wiklund
Kiffmeyer	Mathews	Pappas	Senjem	
Klein	McEwen	Port	Tomassoni	
Koran	Miller	Pratt	Torres Ray	
Kunesh	Murphy	Putnam	Utke	

Pursuant to Rule 40, Senator Johnson cast the affirmative vote on behalf of the following Senators: Bakk, Newman, and Tomassoni.

Pursuant to Rule 40, Senator Frenz cast the affirmative vote on behalf of the following Senators: Isaacson, McEwen, Pappas, and Putnam.

So the bill passed and its title was agreed to.

### RECESS

Senator Miller 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.

### 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, First Reading of House Bills, Reports of Committees, and Second Reading of Senate Bills.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 4165.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 24, 2022

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

**H.F. No. 4165:** A bill for an act relating to state government; requiring divestment from certain investments relating to Russia and Belarus; terminating contracts with Russian and Belarussian entities; requiring a report; proposing coding for new law in Minnesota Statutes, chapters 11A; 16C.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3928, now on General Orders.

**REPORTS OF COMMITTEES**

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

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

**S.F. No. 3933:** A bill for an act relating to consumer protection; prohibiting certain social media algorithms that target children; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Page 1, line 16, delete "user-created" and insert "user-generated" and after the period, insert "Social media platform does not include Internet search providers or electronic mail."

Page 1, line 17, delete """User-created" and insert """User-generated" and delete everything after "means" and insert "any content created or shared by an account holder including, without limitation, written posts, photographs, graphics, video recordings, or audio recordings."

Page 1, delete lines 18 to 21

Page 2, line 3, delete "user-created" and insert "user-generated" and before the period, insert ", except as provided in subdivision 3"

Page 2, line 5, delete "user-created" and insert "user-generated"

Page 2, line 11, delete "User-created" and insert "(a) A social media algorithm that is intended to block access to inappropriate or harmful content to an account holder that is a minor is exempt from this section. Software or devices that allow parental controls or internal controls used by the social media platform that are designed to control access of the account of a minor to filter content for age-appropriate material, that does suggest, promote, or rank otherwise accessible content, is exempt from this section. (b) User-generated"

And when so amended the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Amendments adopted. Report adopted.

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

**S.F. No. 3288:** A bill for an act relating to commerce; modifying a definition applying to licensee education; amending Minnesota Statutes 2020, section 45.25, subdivision 12.

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

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

**S.F. No. 4191:** A bill for an act relating to commerce; modifying provisions governing unfair practices by motor vehicle manufacturers; amending Minnesota Statutes 2020, sections 80E.03, subdivision 4; 80E.13.

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

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

**S.F. No. 3086:** A bill for an act relating to transportation; modifying allocation of state general sales tax revenue related to motor vehicle repair and replacement parts; dedicating sales tax revenue to small cities assistance account and town road account; amending Minnesota Statutes 2020, section 297A.94.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, 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. The commissioner must deposit on a monthly basis the revenue derived from the tax rate imposed under section 297A.62, subdivision 1, on the sale and purchase of motor vehicle repair and replacement parts into the state treasury and credit:~~

(1) 86 percent to the highway user tax distribution fund;

(2) seven percent to the small cities assistance account in the special revenue fund established under section 162.145; and

(3) seven percent to the town road account in the county state-aid highway fund established under section 162.081.

Between July 1, 2022, and June 30, 2023, the monthly deposit amount is \$26,655,000. In each subsequent fiscal year, the commissioner must adjust the monthly deposit amount by the percentage change in the total amount of sales tax revenue collected for all sales and purchases between the two preceding fiscal years. The amount as adjusted must be rounded to the nearest \$1,000 amount. 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.

**EFFECTIVE DATE.** This section is effective July 1, 2022."

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

**Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred**

**S.F. No. 3624:** A bill for an act relating to economic development; appropriating money for a grant to the Owatonna Learn to Earn Coalition to help the Owatonna and Steele County region grow and retain a talented workforce.

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

Delete everything after the enacting clause and insert:

"Section 1. **APPROPRIATION; DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT; OWATONNA LEARN TO EARN COALITION.**

\$20,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of employment and economic development for a grant to the Owatonna Learn to Earn Coalition to conduct a comprehensive local needs assessment to examine current and future workforce needs in the region. The coalition shall retain a consultant and utilize state demographer resources to involve education, business, and community stakeholders to guide the high school's career pathways, the college's programs of study, and the business's support of work-based learning programs that help them recruit, develop, and retain a vibrant workforce to keep the regional economy strong. This is a onetime appropriation and is available until June 30, 2024.

Sec. 2. **APPROPRIATION; OFFICE OF HIGHER EDUCATION; OWATONNA LEARN TO EARN COALITION.**

\$980,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of higher education for a grant to the Owatonna Learn to Earn Coalition to help the Owatonna and Steele County region grow and retain a talented workforce. This is a onetime appropriation and is available until June 30, 2024. Of this amount:

(1) \$900,000 is to develop educational learning spaces with state-of-the-art equipment and student support services in high-demand career pathway programs. Of this amount, \$306,000 is to equip the new Owatonna High School's Industrial Technology classrooms with state-of-the-art equipment to introduce students to high-skill, high-wage, technical careers, and \$594,000 is to equip the Owatonna Riverland Community College Campus with state-of-the-art instructional equipment

to offer credit and noncredit technical programs in automation robotics engineering technology and information technology; and

(2) \$80,000 is to create learn to earn opportunities for students and employers by engaging employers in the Owatonna community to offer tuition reimbursement or scholarships and part-time work and school schedules to employees who agree to continue their education while working for them."

Amend the title as follows:

Page 1, line 2, delete "a grant" and insert "grants"

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

**Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was re-referred**

**S.F. No. 3036:** A bill for an act relating to professional licensing; establishing a preliminary application procedure for individuals seeking professional licenses; permitting licensing boards to charge application fees; authorizing appeals; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 214.

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

**Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was re-referred**

**S.F. No. 3364:** A bill for an act relating to health occupations; creating an audiology and speech-language pathology interstate compact; authorizing the commissioner of health to release certain data; amending Minnesota Statutes 2020, section 144.051, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Page 1, delete lines 19 to 23

Page 2, delete lines 1 to 15

Page 2, line 16, delete "2" and insert "1"

Page 4, line 23, delete "3" and insert "2"

Page 7, line 22, delete "4" and insert "3"

Page 7, line 28, delete "3" and insert "2"

Page 8, line 6, delete "6" and insert "5"

Page 8, line 21, delete "4A" and insert "3A"

Page 9, line 4, delete "4A" and insert "3A"

Page 9, line 5, delete "4J" and insert "3J"

Page 9, line 6, delete "4A" and insert "3A"

Page 9, line 7, delete "5" and insert "4"

Page 9, line 9, delete "3" and insert "2"

Page 9, line 13, delete "6" and insert "5"

Page 9, line 19, delete "7" and insert "6"

Page 11, line 6, delete "8" and insert "7"

Page 14, line 8, delete "10" and insert "9"

Page 16, line 24, delete "9" and insert "8"

Page 17, line 16, delete "10" and insert "9"

Page 19, line 26, delete "11" and insert "10"

Page 20, line 12, delete "12" and insert "11"

Page 21, line 4, delete "13" and insert "12"

Page 21, line 14, delete "14" and insert "13"

Page 21, line 27, delete "12" and insert "11"

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

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

S.F. Nos. 3288, 4191, and 3086 were read the second time.

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

Senator Lang moved that S.F. No. 1015 be withdrawn from the Committee on Energy and Utilities Finance and Policy and re-referred to the Committee on Finance. The motion prevailed.

### **MEMBERS EXCUSED**

Senator Latz was excused from the Session of today.



**ADJOURNMENT**

Senator Lang moved that the Senate do now adjourn until 11:00 a.m., Monday, March 28, 2022.  
The motion prevailed.

Cal R. Ludeman, Secretary of the Senate



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