

TWENTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 2, 2017

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Pastor Mike Smith.

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

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

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

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

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

S.F. No. 1313: A bill for an act relating to commerce; weights and measures; requiring signage disclosing gasoline tax rate; proposing coding for new law in Minnesota Statutes, chapter 239.

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

Page 1, lines 9 and 12, after the period, insert "Revenue from the fuel tax may be used only for roads and bridges, according to the Minnesota Constitution."

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

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

S.F. No. 879: A bill for an act relating to insurance; regulating the Minnesota Joint Underwriting Association; authorizing the association to provide liquor liability and certain medical malpractice coverage; amending Minnesota Statutes 2016, sections 62I.02; 62I.03; 62I.05; 62I.06; 62I.07; 62I.08; 62I.13; 62I.14; 62I.15; 62I.16; 62I.17; 62I.19; 62I.21; repealing Minnesota Statutes 2016, sections 62F.01, subdivision 1; 62F.02; 62F.03; 62F.04, subdivisions 1, 2, 2a, 3; 62F.05; 62F.06; 62F.07; 62F.08; 62F.09; 62F.10; 62F.11; 62F.12; 62F.13; 62F.14; Minnesota Rules, part 2791.0100.

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. 1220: A bill for an act relating to agriculture; motor fuel; allowing ethanol blending on certain premises; prohibiting motor fuel marketing agreements and franchise agreements that do not allow ethanol blending; amending Minnesota Statutes 2016, section 239.791, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Agriculture, Rural Development, and Housing Policy. Report adopted.

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

S.F. No. 1190: A bill for an act relating to credit unions; regulating meetings; amending Minnesota Statutes 2016, section 52.07.

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. 1072: A bill for an act relating to commerce; regulating the termination of sales representatives; amending Minnesota Statutes 2016, section 325E.37, subdivision 1.

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. 1106: A bill for an act relating to insurance producers; regulating payment of commissions by issuers of individual health plans; amending Minnesota Statutes 2016, sections 60K.31, by adding a subdivision; 60K.48, subdivision 4.

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. 1563: A bill for an act relating to insurance; examinations by the commissioner of commerce; amending Minnesota Statutes 2016, sections 45.027, subdivision 7; 60A.031, subdivisions 2a, 6; 62C.11, by adding a subdivision; 62D.24; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 60A.031, subdivision 4, is amended to read:

Subd. 4. **Examination report; foreign and domestic companies.** (a) The commissioner shall make a full and true report of every examination conducted pursuant to this chapter, which shall include (1) a statement of findings of fact relating to the financial status and other matters ascertained from the books, papers, records, documents, and other evidence obtained by investigation and examination or ascertained from the testimony of officers, agents, or other persons examined under oath concerning the business, affairs, assets, obligations, ability to fulfill obligations, and compliance with all the provisions of the law of the company, applicant, organization, or person subject to this chapter and (2) a summary of important points noted in the report, conclusions, recommendations and suggestions as may reasonably be warranted from the facts so ascertained in the examinations. The report of examination shall be verified by the oath of the examiner in charge thereof, and shall be prima facie evidence in any action or proceedings in the name of the state against the company, applicant, organization, or person upon the facts stated therein.

(b) No later than 60 days following completion of the examination, the examiner in charge shall file with the department a verified written report of examination under oath. Upon receipt of the verified report, the department shall transmit the report to the company examined, together with a notice which provides the company examined with a reasonable opportunity of not more than 30

days to make a written submission or rebuttal with respect to matters contained in the examination report.

(c) Within 30 days of the end of the period allowed for the receipt of written submissions or rebuttals, the commissioner shall fully consider and review the report, together with the written submissions or rebuttals and the relevant portions of the examiner's work papers and enter an order:

(1) adopting the examination report as filed or with modification or corrections. If the examination report reveals that the company is operating in violation of any law, rule, or prior order of the commissioner, the commissioner may order the company to take any action the commissioner considers necessary and appropriate to cure the violation;

(2) rejecting the examination report with directions to the examiners to reopen the examination for purposes of obtaining additional data, documentation, or information, and refile the report as required under paragraph (b); or

(3) calling for an investigatory hearing with no less than 20 days' notice to the company for purposes of obtaining additional documentation, data, information, and testimony.

(d)(1) All orders entered under paragraph (c), clause (1), must be accompanied by findings and conclusions resulting from the commissioner's consideration and review of the examination report, relevant examiner work papers, and any written submissions or rebuttals. The order is a final administrative decision and may be appealed as provided under chapter 14. The order must be served upon the company by certified mail, together with a copy of the adopted examination report. Within 30 days of the issuance of the adopted report, the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders.

(2) A hearing conducted under paragraph (c), clause (3), by the commissioner or authorized representative, must be conducted as a nonadversarial confidential investigatory proceeding as necessary for the resolution of inconsistencies, discrepancies, or disputed issues apparent upon the face of the filed examination report or raised by or as a result of the commissioner's review of relevant work papers or by the written submission or rebuttal of the company. Within 20 days of the conclusion of the hearing, the commissioner shall enter an order as required under paragraph (c), clause (1).

(3) The commissioner shall not appoint an examiner as an authorized representative to conduct the hearing. The hearing must proceed expeditiously. Discovery by the company is limited to the examiner's work papers which tend to substantiate assertions in a written submission or rebuttal. The commissioner or the commissioner's representative may issue subpoenas for the attendance of witnesses or the production of documents considered relevant to the investigation whether under the control of the department, the company, or other persons. The documents produced must be included in the record. Testimony taken by the commissioner or the commissioner's representative must be under oath and preserved for the record.

This section does not require the department to disclose information or records which would indicate or show the existence or content of an investigation or activity of a criminal justice agency.

(4) The hearing must proceed with the commissioner or the commissioner's representative posing questions to the persons subpoenaed. Thereafter, the company and the department may present testimony relevant to the investigation. Cross-examination may be conducted only by the commissioner or the commissioner's representative. The company and the department shall be permitted to make closing statements and may be represented by counsel of their choice.

(e)(1) Upon the adoption of the examination report under paragraph (c), clause (1), the commissioner shall continue to hold the content of the examination report as private and confidential information for a period of 30 days except as otherwise provided in paragraph (b). Thereafter, the commissioner may open the report for public inspection if a court of competent jurisdiction has not stayed its publication.

(2) Nothing contained in this subdivision prevents or shall be construed as prohibiting the commissioner from disclosing the content of an examination report, preliminary examination report or results, or any matter relating to the reports, to the Commerce Department or the insurance department of another state or country, or to law enforcement officials of this or another state or agency of the federal government at any time, if the agency or office receiving the report or matters relating to the report agrees in writing to hold it confidential and in a manner consistent with this subdivision.

(3) If the commissioner determines that regulatory action is appropriate as a result of an examination, the commissioner may initiate proceedings or actions as provided by law.

(f) All working papers, recorded information, documents and copies thereof produced by, obtained by, or disclosed to the commissioner or any other person in the course of an examination made under this subdivision, or in the course of market analysis, must be given confidential treatment and are not subject to subpoena and may not be made public by the commissioner or any other person, except to the extent provided in paragraph (e). Access may also be granted to the National Association of Insurance Commissioners (NAIC), the Financial Industry Regulatory Authority, and any national securities association registered under the Securities Exchange Act of 1934. The parties must agree in writing prior to receiving the information to provide to it the same confidential treatment as required by this section, unless the prior written consent of the company to which it pertains has been obtained. For purposes of this section, "market analysis" means a process whereby market conduct surveillance personnel collect and analyze information from filed schedules, surveys, required reports, such as the NAIC Market Conduct Annual Statement, or other sources in order to develop a baseline profile of an insurer, to review the operation or activity of an insurer, or to identify patterns or practices of insurers licensed to do business in this state that deviate significantly from the norm or that may pose a potential risk to the insurance consumer.

(g) Information in the possession or control of, or obtained or disclosed to, the commissioner in the course of, or derived from, market analysis, as defined in paragraph (f), by an insurance company is:

(1) confidential data on individuals, as defined in section 13.02, subdivision 3, or protected nonpublic data, as defined in section 13.02, subdivision 13; and

(2) not subject to subpoena or other discovery nor admissible in evidence in a private civil action. Neither the commissioner nor any person who received information while acting under the

authority of the commissioner is permitted or required to testify in a private civil action concerning the information. Nothing in this paragraph limits the ability of the commissioner to use the information in furtherance of an action brought by the commissioner.

(h) Requests for information issued by the commissioner to an insurance company, in the course of a market analysis as defined in paragraph (f), must be issued under the commissioner's authority as provided in this section.

(i) Notwithstanding paragraph (h), the commissioner may request information from an insurance company pursuant to the commissioner's authority under section 45.027, subdivision 1a or 2, if:

(1) the request for information is in connection with an unresolved consumer complaint; or

(2) there is an imminent risk of significant harm to a consumer.

(j) Requests for information from the commissioner to an insurance company under paragraph (i) are not subject to section 60A.033.

Sec. 2. Minnesota Statutes 2016, section 60A.031, subdivision 6, is amended to read:

Subd. 6. **Penalty.** Notwithstanding section 72A.05, any person who violates or aids and abets any violation of a written order issued pursuant to this section may be fined not more than \$10,000 for each day the violation continues for each violation of the order ~~in an action commenced in Ramsey County by the attorney general on behalf of the state of Minnesota~~ and the money so recovered shall be paid into the general fund.

Sec. 3. **[60A.033] SCHEDULING CONFERENCE AND ORDER.**

Subdivision 1. **Scope.** This section applies to examinations limited to market analysis, as defined in section 60A.031, subdivision 4, paragraph (f).

Subd. 2. **Scheduling conference required.** Within 30 days of issuing an examination order under section 60A.031, the commissioner must hold a scheduling conference with the insurance company.

Subd. 3. **Exception.** A scheduling conference and order is not required under this section if the insurance company waives their right to a scheduling conference and order.

Subd. 4. **Scheduling conference.** At the scheduling conference, the commissioner must provide the insurance company with the following:

(1) the justification for the examination and the specific regulatory issues the examination will address;

(2) the information that must be produced by the insurance company and the timing for its production in accordance with the requirements of subdivision 6;

(3) the estimated length of the examination, subject to the requirements of subdivision 9;

(4) whether contract examiners will be used;

(5) a budget for the exam including:

(i) the daily or hourly rates for the examiners that will be involved in the examination and the estimated number of hours for the examination;

(ii) the estimated travel, lodging, meal, and other expenses of the examiners; and

(iii) the estimated administrative and supply costs directly associated with the examination; and

(6) an explanation of the invoicing process and the process for resolving billing disputes.

Subd. 5. **Scheduling order.** Within 15 days following the scheduling conference, or as otherwise agreed to by the commissioner and the insurance company, the commissioner must issue a scheduling order that includes the information required by subdivision 4, based on the discussion at the scheduling conference. The commissioner and insurance company must follow the terms of the scheduling order. To amend a scheduling order there must be a supplemental scheduling conference that complies with subdivision 4 and a supplemental scheduling order that complies with this subdivision, unless otherwise agreed upon by the commissioner and the insurance company.

Subd. 6. **Production of information.** (a) Any information requested from an insurance company by the commissioner must:

(1) be limited to matters relevant to the issues the examination will address;

(2) provide the insurance company with a reasonable period of time to respond to the request, but not less than 30 business days from the receipt of the request; and

(3) be reasonable in relation to the burden or expense of gathering the requested information and the needs of the examination.

(b) In making an information request, the commissioner must consider whether the information being requested is obtainable from some other source that is more convenient, less burdensome, or less expensive, for the insurance company.

(c) An insurance company can extend the time period by which a response to an information request from the commissioner is due by up to 30 days upon giving notice of the extension to the commissioner. The commissioner may extend any time period by which information is due relating to an examination.

Subd. 7. **Conduct of an examination.** (a) Unless required to preserve evidence, the commissioner, department, and examiners:

(1) may not appear at an insurance company's place of business unannounced to conduct the examination; or

(2) may not be present at an insurance company's place of business outside of normal hours without the insurance company's written consent.

(b) If a statement is taken by the commissioner from a person under oath, the person must first be informed of the following:

- (1) the scope of the proposed statement;
- (2) whether the person is the subject of an examination; and
- (3) that the person may be represented by legal counsel during the taking of the statement.

(c) If a statement is taken by the commissioner from a person under oath and the statement is recorded, the person must be provided with a transcript or recording of the statement within 30 days of requesting it from the commissioner.

Subd. 8. **Costs.** All bills for examination costs being charged to an insurance company pursuant to section 60A.031, subdivision 3, paragraph (c), or subdivision 5, must:

(1) be itemized and, with respect to examiner billings, contain activity detail on a quarterly hourly basis by an individual examiner and disclose the applicable hourly billing rates, together with per-charge detail for related travel or other expenses; and

- (2) provide a due date no less than 30 business days from receipt of the bill.

Subd. 9. **Completion of examination.** An examination under section 60A.031 must not exceed 12 months from the date the commissioner receives the insurance company's first submission pursuant to a scheduling order, unless:

- (1) there has been a material lack of cooperation by the insurance company; or
- (2) the commissioner can show that additional time is necessary to complete the examination.

Subd. 10. **Hearing; procedure; judicial review.** (a) An insurance company aggrieved by any order or decision of the commissioner made without a hearing, may, within 30 days after notice of the order to it, make written request to the commissioner for a hearing thereon. The commissioner shall hear the party or parties within 20 days after receipt of the request and shall give not less than ten days' written notice of the time and place of the hearing. Within 15 days after hearing the commissioner shall affirm, reverse, or modify the previous action, specifying the reasons therefor. Pending the hearing and decision thereon the commissioner may suspend or postpone the effective date of the previous action.

(b) Nothing contained in this section shall require the observance at any hearing of formal rules of pleading or evidence.

(c) An order or decision of the commissioner shall be subject to appeal in accordance with chapter 14. The order of the administrative law judge shall constitute the final decision in the case and, absent a stipulation of the parties, may not be rejected or modified by the commissioner. The order may be appealed to the Court of Appeals under sections 14.63 to 14.68, pursuant to the standard of review in section 14.69.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective August 1, 2017, and apply to examinations and investigations initiated on or after that date."

Amend the title accordingly

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

Senator Housley from the Committee on Aging and Long-term Care Policy, to which was referred

S.F. No. 898: A bill for an act relating to human services; modifying essential community supports; amending Minnesota Statutes 2016, section 256B.0922, subdivision 1.

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

Page 2, line 4, after "(ii)" insert "family" and strike "support" and delete ", including respite care" and insert "services"

Page 2, after line 4, insert:

"(iii) respite care;"

Page 2, line 5, strike "(iii)" and insert "(iv)"

Page 2, line 6, delete "(iv)" and insert "(v)"

Page 2, line 7, delete "(v)" and insert "(vi)"

Page 2, line 8, delete "(vi)" and insert "(vii)"

Page 2, line 9, delete "(vii)" and insert "(viii)"

Page 2, line 10, delete "(viii)" and insert "(ix)"

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

Senator Housley from the Committee on Aging and Long-term Care Policy, to which was referred

S.F. No. 897: A bill for an act relating to human services; modifying provisions governing caregiver support programs and services; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Page 2, line 4, delete "is" and insert "and \$200,000 in fiscal year 2019 are"

Page 2, line 6, delete everything after the period

Page 2, delete line 7

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

Senator Housley from the Committee on Aging and Long-term Care Policy, to which was referred

S.F. No. 924: A bill for an act relating to higher education; appropriating money to develop educational materials to increase awareness of senior care career opportunities.

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

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

S.F. No. 914: A bill for an act relating to environment; requiring money from certain environmental settlements to be appropriated by law; amending Minnesota Statutes 2016, section 116.03, by adding a subdivision.

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

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

S.F. No. 846: A bill for an act relating to human services; establishing a parenting with a disability support services pilot project; requiring a report; appropriating money.

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

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

S.F. No. 836: A bill for an act relating to human services; providing for assisted outpatient mental health treatment with mandatory weekly patient reporting to treatment provider; amending Minnesota Statutes 2016, sections 253B.066, subdivision 1; 253B.09, subdivision 1; 253B.097, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 144.293, subdivision 5, is amended to read:

Subd. 5. **Exceptions to consent requirement.** (a) This section does not prohibit the release of health records:

(1) for a medical emergency when the provider is unable to obtain the patient's consent due to the patient's condition or the nature of the medical emergency;

(2) to other providers within related health care entities when necessary for the current treatment of the patient; ~~or~~

(3) to a health care facility licensed by this chapter, chapter 144A, or to the same types of health care facilities licensed by this chapter and chapter 144A that are licensed in another state when a patient:

(i) is returning to the health care facility and unable to provide consent; or

(ii) who resides in the health care facility, has services provided by an outside resource under Code of Federal Regulations, title 42, section 483.75(h), and is unable to provide consent; or

(4) to a committing court or law enforcement agency for purposes of providing notice of the failure of a patient to appear for an assisted outpatient treatment appointment or failure to substantially comply with a court-approved treatment plan under section 253B.09, subdivision 6.

(b) A provider may release a deceased patient's health care records to another provider for the purposes of diagnosing or treating the deceased patient's surviving adult child.

Sec. 2. Minnesota Statutes 2016, section 253B.05, subdivision 2, is amended to read:

Subd. 2. **Peace or health officer authority.** (a) A peace or health officer may take a person into custody and transport the person to a licensed physician or treatment facility if the officer has reason to believe, either through direct observation of the person's behavior, or upon reliable information of the person's recent behavior and knowledge of the person's past behavior or psychiatric treatment, that the person is mentally ill or developmentally disabled and in danger of injuring self or others if not immediately detained. A peace or health officer or a person working under such officer's supervision, may take a person who is believed to be chemically dependent or is intoxicated in public into custody and transport the person to a treatment facility. If the person is intoxicated in public or is believed to be chemically dependent and is not in danger of causing self-harm or harm to any person or property, the peace or health officer may transport the person home. The peace or health officer shall make written application for admission of the person to the treatment facility. The application shall contain the peace or health officer's statement specifying the reasons for and circumstances under which the person was taken into custody. If danger to specific individuals is a basis for the emergency hold, the statement must include identifying information on those individuals, to the extent practicable. A copy of the statement shall be made available to the person taken into custody. The peace or health officer who makes the application shall provide the officer's name, the agency that employs the officer, and the telephone number or other contact information for purposes of receiving notice under subdivision 3, paragraph (d).

(b) As far as is practicable, a peace officer who provides transportation for a person placed in a facility under this subdivision may not be in uniform and may not use a vehicle visibly marked as a law enforcement vehicle.

(c) A person may be admitted to a treatment facility for emergency care and treatment under this subdivision with the consent of the head of the facility under the following circumstances: (1)

a written statement shall only be made by the following individuals who are knowledgeable, trained, and practicing in the diagnosis and treatment of mental illness or developmental disability; the medical officer, or the officer's designee on duty at the facility, including a licensed physician, a licensed physician assistant, or an advanced practice registered nurse who after preliminary examination has determined that the person has symptoms of mental illness or developmental disability and appears to be in danger of harming self or others if not immediately detained; or (2) a written statement is made by the institution program director or the director's designee on duty at the facility after preliminary examination that the person has symptoms of chemical dependency and appears to be in danger of harming self or others if not immediately detained or is intoxicated in public.

(d) A peace officer shall take a person into custody and transport the person to a treatment facility if the law enforcement agency that employs the officer has received notice of the failure of a patient to appear for an assisted outpatient treatment appointment or failure to substantially comply with a court-approved treatment plan under section 253B.09, subdivision 6. The person must be admitted to a treatment facility in order to ensure that the person takes prescribed medications and to stabilize the person, if necessary.

Sec. 3. Minnesota Statutes 2016, section 253B.065, subdivision 5, is amended to read:

Subd. 5. **Early intervention criteria.** (a) A court shall order early intervention treatment of a proposed patient who meets the criteria under paragraph (b) or (c). The early intervention treatment must be less intrusive than long-term inpatient commitment and must be the least restrictive treatment program available that can meet the patient's treatment needs.

(b) The court shall order early intervention treatment if the court finds all of the elements of the following factors by clear and convincing evidence:

(1) the proposed patient is mentally ill;

(2) the proposed patient refuses to accept appropriate mental health treatment or has previously received court-ordered treatment and would benefit from a continuum of care; and

(3) the proposed patient's mental illness is manifested by instances of grossly disturbed behavior or faulty perceptions and either:

(i) the grossly disturbed behavior or faulty perceptions significantly interfere with the proposed patient's ability to care for self and the proposed patient, when competent, would have chosen substantially similar treatment under the same circumstances; or

(ii) due to the mental illness, the proposed patient received court-ordered inpatient treatment under section 253B.09 at least two times in the previous three years; the patient is exhibiting symptoms or behavior substantially similar to those that precipitated one or more of the court-ordered treatments; and the patient is reasonably expected to physically or mentally deteriorate to the point of meeting the criteria for commitment under section 253B.09 unless treated.

For purposes of this paragraph, a proposed patient who was released under section 253B.095 and whose release was not revoked is not considered to have received court-ordered inpatient treatment under section 253B.09.

(c) The court may order early intervention treatment if the court finds by clear and convincing evidence that a pregnant woman is a chemically dependent person. A chemically dependent person for purposes of this section is a woman who has during pregnancy engaged in excessive use, for a nonmedical purpose, of controlled substances or their derivatives, alcohol, or inhalants that will pose a substantial risk of damage to the brain or physical development of the fetus.

(d) For purposes of paragraphs (b) and (c), none of the following constitute a refusal to accept appropriate mental health treatment:

(1) a willingness to take medication but a reasonable disagreement about type or dosage;

(2) a good faith effort to follow a reasonable alternative treatment plan, including treatment as specified in a valid advance directive under chapter 145C or section 253B.03, subdivision 6d;

(3) an inability to obtain access to appropriate treatment because of inadequate health care coverage or an insurer's refusal or delay in providing coverage for the treatment; or

(4) an inability to obtain access to needed mental health services because the provider will only accept patients who are under a court order or because the provider gives persons under a court order a priority over voluntary patients in obtaining treatment and services.

Sec. 4. Minnesota Statutes 2016, section 253B.07, subdivision 2b, is amended to read:

Subd. 2b. **Apprehend and hold orders.** (a) The court may order the treatment facility to hold the person in a treatment facility or direct a health officer, peace officer, or other person to take the proposed patient into custody and transport the proposed patient to a treatment facility for observation, evaluation, diagnosis, care, treatment, and, if necessary, confinement, when:

(1) there has been a particularized showing by the petitioner that serious physical harm to the proposed patient or others is likely unless the proposed patient is immediately apprehended;

(2) the proposed patient has not voluntarily appeared for the examination or the commitment hearing pursuant to the summons; or

(3) a person is held pursuant to section 253B.05 and a request for a petition for commitment has been filed or an evaluation is ordered for a patient who has failed to substantially comply with an order for assisted outpatient treatment under section 253B.09, subdivision 6.

(b) The order of the court may be executed on any day and at any time by the use of all necessary means including the imposition of necessary restraint upon the proposed patient. Where possible, a peace officer taking the proposed patient into custody pursuant to this subdivision shall not be in uniform and shall not use a motor vehicle visibly marked as a police vehicle. Except as provided in section 253D.10, subdivision 2, in the case of an individual on a judicial hold due to a petition for civil commitment under chapter 253D, assignment of custody during the hold is to the commissioner of human services. The commissioner is responsible for determining the appropriate placement within a secure treatment facility under the authority of the commissioner.

(c) A proposed patient must not be allowed or required to consent to nor participate in a clinical drug trial while an order is in effect under this subdivision. A consent given while an order is in

effect is void and unenforceable. This paragraph does not prohibit a patient from continuing participation in a clinical drug trial if the patient was participating in the drug trial at the time the order was issued under this subdivision.

Sec. 5. Minnesota Statutes 2016, section 253B.09, subdivision 5, is amended to read:

Subd. 5. **Initial commitment period.** The initial commitment begins on the date that the court issues its order or warrant under section 253B.10, subdivision 1. For persons committed as mentally ill, developmentally disabled, or chemically dependent the initial commitment shall not exceed six months, except to the extent the person is subject to a mandatory assisted outpatient treatment order under subdivision 6.

Sec. 6. Minnesota Statutes 2016, section 253B.09, is amended by adding a subdivision to read:

Subd. 6. **Mandatory assisted outpatient treatment.** (a) In all cases where a person is committed as a mentally ill person under this chapter, the commitment order must include a requirement that the person participate in mandatory assisted outpatient treatment for one year following the discharge or release of the person from a treatment facility. The head of the treatment facility must arrange for the assignment of a case manager for the person under section 245.462. The case manager must, in consultation with the mentally ill person and the treating psychiatrist, psychologist, physician, or nurse practitioner, develop a written individual treatment plan under section 245.462, subdivision 14, which must include appropriate elements of case management services, community support services, and outpatient services under that section, and treatment alternatives under section 253B.066, subdivision 1, tailored to the needs of the mentally ill person. The treatment plan must include:

(1) an appointment at least once every week with a case manager or a licensed psychiatrist, psychologist, physician, or nurse practitioner who would qualify as an examiner under section 253B.02, subdivision 7; and

(2) verification that the person is taking medication as prescribed for treatment of the person's mental illness.

(b) The treatment plan must be presented to the committing court for review and approval at a hearing designated for that purpose. If, after discharge or release, the person fails to appear for a scheduled appointment or fails to substantially comply with the court-approved treatment plan, the case manager, psychiatrist, psychologist, physician, or nurse practitioner must notify the committing court and a law enforcement agency with jurisdiction in the area where the person resides or where the person may be located for purposes of taking the person into custody under section 253B.05, subdivision 2, paragraph (d).

Sec. 7. Minnesota Statutes 2016, section 253B.13, subdivision 1, is amended to read:

Subdivision 1. **Mentally ill or chemically dependent persons.** If at the conclusion of a review hearing the court finds that the person continues to be mentally ill or chemically dependent and in need of treatment or supervision, the court shall determine the length of continued commitment. No period of commitment shall exceed this length of time or 12 months, whichever is less. This time period does not apply to a person to the extent the person is subject to a mandatory assisted outpatient treatment order under section 253B.09, subdivision 6.

At the conclusion of the prescribed period, commitment may not be continued unless a new petition is filed pursuant to section 253B.07 and hearing and determination made on it. Notwithstanding the provisions of section 253B.09, subdivision 5, the initial commitment period under the new petition shall be the probable length of commitment necessary or 12 months, whichever is less. The standard of proof at the hearing on the new petition shall be the standard specified in section 253B.12, subdivision 4."

Amend the title numbers accordingly

And when so amended the bill be re-referred to the Committee on Judiciary and Public Safety Finance and Policy without recommendation. Amendments adopted. Report adopted.

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

S.F. No. 562: A bill for an act relating to human services; modifying certain provisions governing autism early intensive intervention benefit; amending Minnesota Statutes 2016, section 256B.0949.

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

Page 1, line 13, strike "evaluation" and insert "monitoring"

Page 1, line 14, after "condition" insert ". Nothing in this section shall preclude coverage for other medical assistance benefits based on a person's diagnosis of an autism spectrum disorder or a related condition, including, but not limited to, coverage under section 256B.0943 of children's therapeutic services and supports"

Page 2, line 21, delete "(e)" and insert "(d)"

Page 2, line 22, delete "(f)" and insert "(e)"

Page 2, line 27, delete "(g)" and insert "(f)"

Page 2, line 29, delete "(h)" and insert "(g)"

Page 3, line 1, delete "(i)" and insert "(h)"

Page 3, line 2, delete "(j)" and insert "(i)"

Page 3, line 8, delete "(k)" and insert "(j)"

Page 3, line 12, delete "(l)" and insert "(k)"

Page 3, line 17, delete "(m)" and insert "(l)"

Page 3, line 21, delete "(n)" and insert "(m)"

Page 3, line 26, delete "(o)" and insert "(n)"

Page 3, line 28, delete "(p)" and insert "(o)"

Page 4, line 1, delete "(q)" and insert "(p)"

Page 4, line 9, strike "medically necessary"

Page 4, line 10, before "for" insert "medical necessity"

Page 7, line 4, delete "evaluation" and insert "monitoring"

Page 7, line 27, delete "Individualized" and insert "Individual"

Page 7, line 28, strike "evaluation"

Page 7, line 29, before "must" insert "monitoring"

Page 8, line 4, strike "evaluation" and insert "monitoring"

Page 9, lines 12 and 22, delete "evaluation" and insert "monitoring"

Page 12, line 7, delete the fourth comma and insert "and" and delete ", and level of"

Page 12, line 8, delete "support needed"

Page 13, line 11, delete "evaluation" and insert "monitoring"

Page 15, line 4, delete "or"

Page 15, after line 4, insert:

"(iii) a board certified behavior analyst; or"

Page 15, line 5, delete "(iii)" and insert "(iv)"

Page 18, line 24, delete "quality and" and after the period, insert "The commissioner may establish an expiration date for an exception granted under this paragraph."

Page 19, line 1, delete everything after the period and insert "The commissioner shall consider public comments before submitting to the legislature a request to end the shortage declaration."

Page 19, delete lines 2 and 3

Page 19, line 4, delete "ends, the" and insert "The"

Page 19, line 5, delete "exception process" and insert "exceptions granted"

Page 19, line 6, after the period, insert "The commissioner shall not declare the shortage of EIDBI providers ended without direction from the legislature to declare it ended."

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

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

S.F. No. 804: A bill for an act relating to capital investment; appropriating money for the Minneapolis People's Center.

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

Page 1, line 8, delete "the Minneapolis People's Center" and insert "a health services clinic providing high quality, culturally competent care, which is comprised of a four-clinic system in south Minneapolis, each having a different specialization and client base"

Page 1, line 9, delete "Minneapolis People's Center" and insert "clinics"

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

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

S.F. No. 1288: A bill for an act relating to human services; modifying certain provisions governing judicial appeal panel decisions for civil commitment, assertive community treatment and intensive residential treatment services, Minnesota family investment program innovation funds, and appeals and fair hearings for Northstar Care for Children; amending Minnesota Statutes 2016, sections 253D.28, subdivision 3; 256B.0622, subdivisions 3a, 4; 256J.626, subdivision 5; 256N.28, subdivision 6.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2016, section 256.01, is amended by adding a subdivision to read:

Subd. 2c. **Program Simplification and Uniformity Advisory Committee.** (a) The Program Simplification and Uniformity Advisory Committee shall advise the commissioner on policies and procedures to create a human services delivery system that simplifies and aligns agency programs. The committee shall meet at least quarterly and may meet more frequently as required by the commissioner. The committee shall annually elect a chair from its members, who shall work with the commissioner to establish the agenda for each meeting. The commissioner, or the commissioner's designee, shall attend each advisory committee meeting.

(b) The Program Simplification and Uniformity Advisory Committee shall advise and make recommendations to the commissioner on the development of policies, strategies, and approaches to simplify, align, and unify programs that will:

(1) promote client-centered programs;

(2) reduce program redundancies and duplication;

(3) prepare for and facilitate the development and implementation of new information technology eligibility systems;

(4) ensure program integrity by preventing waste, fraud, and abuse, and improve program efficiency; and

(5) promote the development and implementation of an integrated human service eligibility and delivery system.

(c) The Program Simplification and Uniformity Advisory Committee consists of:

(1) four voting members who represent county and social service administrators, at least two of whom must represent a county other than Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright;

(2) two voting members who represent tribal social service agencies;

(3) four voting members of agencies and organizations who represent public assistance recipients, including persons with physical and developmental disabilities, persons with mental illness, seniors, parents or legal guardians of children, or low-income individuals;

(4) four voting members who are users of public human services programs, including persons with physical and developmental disabilities, persons with mental illness, seniors, parents or legal guardians of children, or low-income individuals;

(5) two voting members who represent county financial and eligibility workers;

(6) two voting members of the house of representatives, one from the majority party appointed by the speaker of the house and one from the minority party appointed by the minority leader, and two voting members from the senate, one from the majority party appointed by the senate majority leader and one from the minority party appointed by the senate minority leader;

(7) four at-large voting members as determined by the members under clauses (1), (2), (3), and (4);

(8) up to four nonvoting members appointed by the commissioner who are program policy experts to provide technical support to the committee;

(9) one nonvoting member appointed by the commissioner of health who is a program policy expert to provide technical support to the committee;

(10) one nonvoting member appointed by the commissioner of employment and economic development who is a program policy expert to provide technical support to the committee; and

(11) one nonvoting member appointed by the commissioner of commerce who is a program policy expert to provide technical support to the committee.

(d) A voting committee member shall not be employed by the state of Minnesota except for voting members appointed under clause (6). A committee member shall not receive compensation for committee work.

EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2020."

Page 4, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 2016, section 270B.14, subdivision 1, is amended to read:

Subdivision 1. **Disclosure to commissioner of human services.** (a) On the request of the commissioner of human services, the commissioner shall disclose return information regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

(b) Data that may be disclosed are limited to data relating to the identity, whereabouts, employment, income, and property of a person owing or alleged to be owing an obligation of child support.

(c) The commissioner of human services may request data only for the purposes of carrying out the child support enforcement program and to assist in the location of parents who have, or appear to have, deserted their children. Data received may be used only as set forth in section 256.978.

(d) The commissioner shall provide the records and information necessary to administer the supplemental housing allowance to the commissioner of human services.

(e) At the request of the commissioner of human services, the commissioner of revenue shall electronically match the Social Security numbers and names of participants in the telephone assistance plan operated under sections 237.69 to 237.71, with those of property tax refund filers, and determine whether each participant's household income is within the eligibility standards for the telephone assistance plan.

(f) The commissioner may provide records and information collected under sections 295.50 to 295.59 to the commissioner of human services for purposes of the Medicaid Voluntary Contribution and Provider-Specific Tax Amendments of 1991, Public Law 102-234. Upon the written agreement by the United States Department of Health and Human Services to maintain the confidentiality of the data, the commissioner may provide records and information collected under sections 295.50 to 295.59 to the Centers for Medicare and Medicaid Services section of the United States Department of Health and Human Services for purposes of meeting federal reporting requirements.

(g) The commissioner may provide records and information to the commissioner of human services as necessary to administer the early refund of refundable tax credits.

(h) The commissioner may disclose information to the commissioner of human services as necessary to verify for income verification for eligibility and premium payment under the MinnesotaCare program, under section 256L.05, subdivision 2, and the medical assistance program under chapter 256B.

(i) The commissioner may disclose information to the commissioner of human services necessary to verify whether applicants or recipients for the Minnesota family investment program, general assistance, food support, Minnesota supplemental aid program, and child care assistance have

claimed refundable tax credits under chapter 290 and the property tax refund under chapter 290A, and the amounts of the credits.

(j) The commissioner may disclose information to the commissioner of human services necessary to verify income for purposes of calculating parental contribution amounts under section 252.27, subdivision 2a.

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

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "establishing an advisory committee; modifying the tax code; modifying"

Page 1, line 3, delete everything before "assertive"

Amend the title numbers accordingly

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

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

S.F. No. 961: A bill for an act relating to human services; modifying group residential housing funding; amending Minnesota Statutes 2016, section 256I.05, by adding a subdivision.

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

Page 1, line 20, after "and" insert "the room and board portion of the allocation shall be"

Page 1, line 21, after the period, insert "The room and board portion of the allocation shall be determined at the time of transfer."

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

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

S.F. No. 915: A bill for an act relating to human services; modifying provisions related to mental health services; modifying the definition of mental health practitioner; amending Minnesota Statutes 2016, sections 245.4712, subdivision 2; 245.4871, subdivision 26; 245.8261, subdivision 4; 256B.0943, subdivisions 1, 9, 13.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2016, section 245.462, subdivision 17, is amended to read:

Subd. 17. **Mental health practitioner.** "Mental health practitioner" means a person providing services to persons with mental illness who is qualified in at least one of the following ways:

(1) holds a bachelor's degree in one of the behavioral sciences or related fields from an accredited college or university and:

(i) has at least 2,000 hours of supervised experience in the delivery of services to persons with mental illness; ~~or~~

(ii) is fluent in the non-English language of the ethnic group to which at least 50 percent of the practitioner's clients belong, completes 40 hours of training in the delivery of services to persons with mental illness, and receives clinical supervision from a mental health professional at least once a week until the requirement of 2,000 hours of supervised experience is met; or

(iii) is working in a day treatment program under section 245.4712, subdivision 2;

(2) has at least 6,000 hours of supervised experience in the delivery of services to persons with mental illness;

(3) is a graduate student in one of the behavioral sciences or related fields and is formally assigned by an accredited college or university to an agency or facility for clinical training; or

(4) holds a master's or other graduate degree in one of the behavioral sciences or related fields from an accredited college or university and has less than 4,000 hours post-master's experience in the treatment of mental illness."

Page 3, after line 18, insert:

"Sec. 3. Minnesota Statutes 2016, section 256B.0615, subdivision 5, is amended to read:

Subd. 5. **Certified peer specialist training and certification.** The commissioner of human services shall develop a training and certification process for certified peer specialists, who must be at least 21 years of age ~~and have a high school diploma or its equivalent~~. The candidates must have had a primary diagnosis of mental illness, be a current or former consumer of mental health services, and must demonstrate leadership and advocacy skills and a strong dedication to recovery. The training curriculum must teach participating consumers specific skills relevant to providing peer support to other consumers. In addition to initial training and certification, the commissioner shall develop ongoing continuing educational workshops on pertinent issues related to peer support counseling.

Sec. 4. Minnesota Statutes 2016, section 256B.0616, subdivision 5, is amended to read:

Subd. 5. **Certified family peer specialist training and certification.** The commissioner shall develop a training and certification process for certified family peer specialists who must be at least 21 years of age ~~and have a high school diploma or its equivalent~~. The candidates must have raised or be currently raising a child with a mental illness, have had experience navigating the children's mental health system, and must demonstrate leadership and advocacy skills and a strong dedication to family-driven and family-focused services. The training curriculum must teach participating

family peer specialists specific skills relevant to providing peer support to other parents. In addition to initial training and certification, the commissioner shall develop ongoing continuing educational workshops on pertinent issues related to family peer support counseling."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 1292: A bill for an act relating to human services; modifying provisions governing children and families services, mental health services, and operations; amending Minnesota Statutes 2016, sections 13.46, subdivisions 2, 3; 13.461, subdivision 28; 119B.02, subdivision 6; 144.057, subdivision 1; 245A.02, subdivision 3, by adding a subdivision; 245A.03, subdivision 3; 245A.04, subdivision 1; 245A.07, subdivisions 1, 3; 245A.08, subdivision 3; 245C.02, subdivisions 5, 13b, by adding subdivisions; 245C.05, subdivisions 1, 5; 245C.08, subdivisions 1, 3; 245C.12; 245C.32, subdivisions 1a, 2, 3; 245C.33, subdivision 4; 245C.34, subdivision 4; 245D.10, subdivision 3a; 256.01, subdivisions 18d, 18e; 256.045, subdivisions 3, 4; 256.0451, subdivisions 1, 3, 5, 6, 7, 9, 10, 11, 12, 21; 256.046, subdivision 1; 256.9685, subdivisions 1, 1a; 256B.064, subdivision 2, by adding subdivisions; 256B.0943, subdivision 8; 256D.051, subdivisions 1, 1a, 2, 3, 3a, 3b, 6b, 8, 18; 256J.626, subdivision 5; 256J.751, subdivisions 2, 5, by adding subdivisions; 256P.02, subdivisions 1, 1a; 259.35, subdivision 1; 259.53, subdivision 4; 259.83, subdivision 1a; 260C.101, by adding a subdivision; 260C.171, subdivision 2; 260C.178, subdivision 1; 260C.212, subdivisions 1, 2, by adding a subdivision; 260C.219; 260C.503, subdivision 2; 260C.515, subdivision 4; 260C.605, subdivision 1; 260C.607, subdivision 6; 260C.609; 260C.611; 260C.613, subdivision 6; 260C.615, subdivision 1; 260C.623, subdivision 4; 260C.625; 260C.629, subdivision 2; 393.07, subdivision 10; 518A.41, subdivision 4; 518A.685; 626.556, subdivisions 2, 3, 3c, 3e, 7, 10, 10f, 10m, 11; 626.5561, subdivision 1; 626.558, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256B; 518; repealing Minnesota Statutes 2016, sections 119B.125, subdivision 8; 256J.751, subdivision 1.

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

Page 8, delete sections 4 and 5 and insert:

"Sec. 4. Minnesota Statutes 2016, section 256N.28, subdivision 6, is amended to read:

Subd. 6. **Appeals and fair hearings.** (a) A caregiver has the right to appeal to the commissioner under section 256.045 when eligibility for Northstar Care for Children is denied, and when payment or the agreement for an eligible child is modified or terminated.

(b) ~~A relative custodian or adoptive parent has additional rights to appeal to the commissioner pursuant to section 256.045. These rights include when the commissioner terminates or modifies the Northstar kinship assistance or adoption assistance agreement or when the commissioner denies an application for Northstar kinship assistance or adoption assistance. A prospective relative custodian or adoptive parent who disagrees with a decision by the commissioner before transfer of permanent~~

~~legal and physical custody or finalization of the adoption may request review of the decision by the commissioner or may appeal the decision under section 256.045. A Northstar kinship assistance or adoption assistance agreement must be signed and in effect before the court order that transfers permanent legal and physical custody or the adoption finalization; however, in some cases, there may be extenuating circumstances as to why an agreement was not entered into before finalization of permanency for the child. Caregivers who believe that extenuating circumstances exist as to why an agreement was not entered into before finalization of permanency in the case of their child may request a fair hearing. Caregivers have the responsibility of proving that extenuating circumstances exist. Caregivers must be required to provide written documentation of each eligibility criterion at the fair hearing. Examples of extenuating circumstances include: relevant facts regarding the child were known by the placing agency and not presented to the caregivers before transfer of permanent legal and physical custody or finalization of the adoption, or failure by the commissioner or a designee to advise potential caregivers about the availability of Northstar kinship assistance or adoption assistance for children in the state foster care system. If a human services judge finds through the fair hearing process that extenuating circumstances existed and that the child met all other eligibility criteria at the time the transfer of permanent legal and physical custody was ordered or the adoption was finalized, the effective date and any associated federal financial participation shall be retroactive from the date of the request for a fair hearing.~~

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

Page 10, delete section 6

Page 11, delete sections 7 and 8

Page 12, delete section 9

Page 13, delete sections 10 and 11

Page 14, delete section 12

Page 15, delete section 13

Page 16, delete sections 14 and 15

Page 17, delete sections 16 and 17

Page 18, delete section 18

Page 19, delete sections 19

Page 39, line 28, delete "260C.613, subdivision 9" and insert "260C.611, paragraph (b)"

Page 56, lines 17 to 24, delete the new language and reinstate the stricken language

Page 74, delete article 2

Page 84, delete lines 12 to 15

Page 84, after line 16, insert:

"Sec. 8. Minnesota Statutes 2016, section 245A.07, subdivision 2, is amended to read:

Subd. 2. **Temporary immediate suspension.** (a) The commissioner shall act immediately to temporarily suspend a license issued under this chapter if:

(1) the license holder's actions or failure to comply with applicable law or rule, or the actions of other individuals or conditions in the program, pose an imminent risk of harm to the health, safety, or rights of persons served by the program; ~~or~~

(2) while the program continues to operate pending an appeal of an order of revocation, the commissioner identifies one or more subsequent violations of law or rule which may adversely affect the health or safety of persons served by the program; or

(3) the license holder has been criminally charged in state or federal court with an offense that involves fraud or theft against a program administered by the commissioner.

(b) No state funds shall be made available or be expended by any agency or department of state, county, or municipal government for use by a license holder regulated under this chapter while a license issued under this chapter is under immediate suspension. A notice stating the reasons for the immediate suspension and informing the license holder of the right to an expedited hearing under chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612, must be delivered by personal service to the address shown on the application or the last known address of the license holder. The license holder may appeal an order immediately suspending a license. The appeal of an order immediately suspending a license must be made in writing by certified mail ~~or~~ by personal service, or by other means expressly set forth in the commissioner's order. If mailed, the appeal must be postmarked and sent to the commissioner within five calendar days after the license holder receives notice that the license has been immediately suspended. If a request is made by personal service, it must be received by the commissioner within five calendar days after the license holder received the order. A license holder and any controlling individual shall discontinue operation of the program upon receipt of the commissioner's order to immediately suspend the license.

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

Sec. 9. Minnesota Statutes 2016, section 245A.07, subdivision 2a, is amended to read:

Subd. 2a. **Immediate suspension expedited hearing.** (a) Within five working days of receipt of the license holder's timely appeal, the commissioner shall request assignment of an administrative law judge. The request must include a proposed date, time, and place of a hearing. A hearing must be conducted by an administrative law judge within 30 calendar days of the request for assignment, unless an extension is requested by either party and granted by the administrative law judge for good cause. The commissioner shall issue a notice of hearing by certified mail or personal service at least ten working days before the hearing. The scope of the hearing shall be limited solely to the issue of whether the temporary immediate suspension should remain in effect pending the commissioner's final order under section 245A.08, regarding a licensing sanction issued under subdivision 3 following the immediate suspension. For suspensions under subdivision 2, paragraph (a), clause (1), the burden of proof in expedited hearings under this subdivision shall be limited to the commissioner's demonstration that reasonable cause exists to believe that the license holder's actions or failure to comply with applicable law or rule poses, or the actions of other individuals or conditions in the program poses an imminent risk of harm to the health, safety, or rights of persons

served by the program. "Reasonable cause" means there exist specific articulable facts or circumstances which provide the commissioner with a reasonable suspicion that there is an imminent risk of harm to the health, safety, or rights of persons served by the program. When the commissioner has determined there is reasonable cause to order the temporary immediate suspension of a license based on a violation of safe sleep requirements, as defined in section 245A.1435, the commissioner is not required to demonstrate that an infant died or was injured as a result of the safe sleep violations. For suspensions under subdivision 2, paragraph (a), clause (2), the burden of proof in expedited hearings under this subdivision shall be limited to the commissioner's demonstration by a preponderance of evidence that, since the license was revoked, the license holder committed additional violations of law or rule which may adversely affect the health or safety of persons served by the program.

(b) The administrative law judge shall issue findings of fact, conclusions, and a recommendation within ten working days from the date of hearing. The parties shall have ten calendar days to submit exceptions to the administrative law judge's report. The record shall close at the end of the ten-day period for submission of exceptions. The commissioner's final order shall be issued within ten working days from the close of the record. When an appeal of a temporary immediate suspension is withdrawn or dismissed, the commissioner shall issue a final order affirming the temporary immediate suspension within ten calendar days of the commissioner's receipt of the withdrawal or dismissal. Within 90 calendar days after a final order affirming an immediate suspension, the commissioner shall make a determination regarding whether a final licensing sanction shall be issued under subdivision 3. The license holder shall continue to be prohibited from operation of the program during this 90-day period.

(c) When the final order under paragraph (b) affirms an immediate suspension, and a final licensing sanction is issued under subdivision 3 and the license holder appeals that sanction, the license holder continues to be prohibited from operation of the program pending a final commissioner's order under section 245A.08, subdivision 5, regarding the final licensing sanction. For suspensions under subdivision 2, paragraph (a), clause (3), the burden of proof in expedited hearings under this subdivision shall be limited to the commissioner's demonstration by a preponderance of evidence that a criminal complaint and warrant or summons has been issued against the license holder that has not been dismissed, and that the criminal charge is an offense that involves fraud or theft against a program administered by the commissioner."

Page 103, line 1, strike "A state" and before "Appeals" insert "The"

Page 103, line 6, strike "A human services judge" and insert "The Appeals Division"

Page 105, delete section 29 and insert:

"Sec. 31. Minnesota Statutes 2016, section 256.0451, subdivision 1, is amended to read:

Subdivision 1. **Scope.** The requirements in this section apply to all fair hearings and appeals under section 256.045, subdivision 3, paragraph (a), clauses (1), (2), (3), (5), (6), and (7). Except as provided in subdivisions 3 and 19, the requirements under this section apply to fair hearings and appeals under section 256.045, subdivision 3, paragraph (a), clauses (4), (8), and (9).

~~The term~~ For purposes of this section, "person" is used in this section to mean means an individual who, on behalf of themselves or their household, is appealing or disputing or challenging an action,

a decision, or a failure to act, by an agency in the human services system. When a person involved in a proceeding under this section is represented by an attorney ~~or by an~~ authorized representative, ~~the term " or other advocate for whom the person gave clear consent to contest the matter on the person's behalf; person"~~ also ~~refers to~~ means the person's attorney ~~or~~ authorized representative, ~~or other advocate~~. Any notice sent to the person involved in the hearing must also be sent to the person's attorney ~~or~~ authorized representative, ~~or other advocate~~.

~~The term "Agency" includes the county human services agency, the state human services agency, and, where applicable, any entity involved under a contract, subcontract, grant, or subgrant with the state agency or with a county agency, that provides or operates programs or services in which appeals are governed by section 256.045. For purposes of an appeal under section 256.045, subdivision 3, paragraph (a), clause (12), "agency" means the provider who issued the notice of service termination.~~

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

Page 117, after line 6, insert:

"Sec. 48. Minnesota Statutes 2016, section 270B.14, subdivision 1, is amended to read:

Subdivision 1. **Disclosure to commissioner of human services.** (a) On the request of the commissioner of human services, the commissioner shall disclose return information regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

(b) Data that may be disclosed are limited to data relating to the identity, whereabouts, employment, income, and property of a person owing or alleged to be owing an obligation of child support.

(c) The commissioner of human services may request data only for the purposes of carrying out the child support enforcement program and to assist in the location of parents who have, or appear to have, deserted their children. Data received may be used only as set forth in section 256.978.

(d) The commissioner shall provide the records and information necessary to administer the supplemental housing allowance to the commissioner of human services.

(e) At the request of the commissioner of human services, the commissioner of revenue shall electronically match the Social Security numbers and names of participants in the telephone assistance plan operated under sections 237.69 to 237.71, with those of property tax refund filers, and determine whether each participant's household income is within the eligibility standards for the telephone assistance plan.

(f) The commissioner may provide records and information collected under sections 295.50 to 295.59 to the commissioner of human services for purposes of the Medicaid Voluntary Contribution and Provider-Specific Tax Amendments of 1991, Public Law 102-234. Upon the written agreement by the United States Department of Health and Human Services to maintain the confidentiality of the data, the commissioner may provide records and information collected under sections 295.50 to 295.59 to the Centers for Medicare and Medicaid Services section of the United States Department of Health and Human Services for purposes of meeting federal reporting requirements.

(g) The commissioner may provide records and information to the commissioner of human services as necessary to administer the early refund of refundable tax credits.

(h) The commissioner may disclose information to the commissioner of human services as necessary to verify for income verification for eligibility and premium payment under the MinnesotaCare program, under section 256L.05, subdivision 2, and the medical assistance program under chapter 256B.

(i) The commissioner may disclose information to the commissioner of human services necessary to verify whether applicants or recipients for the Minnesota family investment program, general assistance, food support, Minnesota supplemental aid program, and child care assistance have claimed refundable tax credits under chapter 290 and the property tax refund under chapter 290A, and the amounts of the credits.

(j) The commissioner may disclose information to the commissioner of human services necessary to verify income for purposes of calculating parental contribution amounts under section 252.27, subdivision 2a.

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

Page 119, after line 9, insert:

"ARTICLE 4

COMMUNITY SERVICES SYSTEM DATA SHARING

Section 1. Minnesota Statutes 2016, section 13.32, is amended by adding a subdivision to read:

Subd. 12. Access by community services system. County personnel in the community services system, as defined in section 13.46, subdivision 1, paragraph (c), may request access to education data in order to coordinate services for a student or family. The request must be submitted to the chief administrative officer of the school and must include the basis for the request and a description of the information that is requested. The chief administrative officer must provide a copy of the request to the parent or legal guardian of the student who is the subject of the request, along with a form the parent or legal guardian may execute to consent to the release of specified information to the requestor. Education data may be released under this subdivision only if the parent or legal guardian gives informed consent to the release, unless sharing of the data is specifically authorized under statute.

Sec. 2. Minnesota Statutes 2016, section 13.46, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section:

(a) "Individual" means an individual according to section 13.02, subdivision 8, but does not include a vendor of services.

(b) "Program" includes all programs for which authority is vested in a component of the welfare community services system according to statute or federal law, including, but not limited to, Native American tribe programs that provide a service component of the community services system, the

aid to families with dependent children program formerly codified in sections 256.72 to 256.87, Minnesota family investment program, temporary assistance for needy families program, medical assistance, general assistance, general assistance medical care formerly codified in chapter 256D, child care assistance program, and child support collections.

(c) "~~Welfare system~~" "Community services system" includes the Department of Human Services, local social services agencies, county welfare agencies, county public health agencies, county veteran services agencies, county housing agencies, private licensing agencies, the public authority responsible for child support enforcement, human services boards, community mental health center boards, state hospitals, state nursing homes, the ombudsman for mental health and developmental disabilities, Native American tribes to the extent a tribe provides a service component of the community services system, and persons, agencies, institutions, organizations, and other entities under contract to any of the above agencies to the extent specified in the contract.

(d) "Mental health data" means data on individual clients and patients of community mental health centers, established under section 245.62, mental health divisions of counties and other providers under contract to deliver mental health services, or the ombudsman for mental health and developmental disabilities.

(e) "Fugitive felon" means a person who has been convicted of a felony and who has escaped from confinement or violated the terms of probation or parole for that offense.

(f) "Private licensing agency" means an agency licensed by the commissioner of human services under chapter 245A to perform the duties under section 245A.16.

Sec. 3. Minnesota Statutes 2016, section 13.46, subdivision 2, is amended to read:

Subd. 2. **General.** (a) Data on individuals collected, maintained, used, or disseminated by the ~~welfare~~ community services system are private data on individuals, and shall not be disclosed except:

(1) according to section 13.05;

(2) according to court order;

(3) according to a statute specifically authorizing access to the private data;

(4) to an agent of the ~~welfare~~ community services system and an investigator acting on behalf of a county, the state, or the federal government, including a law enforcement person or attorney in the investigation or prosecution of a criminal, civil, or administrative proceeding relating to the administration of a program;

(5) to personnel of the ~~welfare~~ community services system who require the data to verify an individual's identity; determine eligibility, amount of assistance, and the need to provide services to an individual or family across programs; coordinate services for an individual or family; evaluate the effectiveness of programs; assess parental contribution amounts; and investigate suspected fraud;

(6) to administer federal funds or programs;

(7) between personnel of the ~~welfare~~ community services system working in the same program;

(8) to the Department of Revenue to assess parental contribution amounts for purposes of section 252.27, subdivision 2a, administer and evaluate tax refund or tax credit programs and to identify individuals who may benefit from these programs. The following information may be disclosed under this paragraph: an individual's and their dependent's names, dates of birth, Social Security numbers, income, addresses, and other data as required, upon request by the Department of Revenue. Disclosures by the commissioner of revenue to the commissioner of human services for the purposes described in this clause are governed by section 270B.14, subdivision 1. Tax refund or tax credit programs include, but are not limited to, the dependent care credit under section 290.067, the Minnesota working family credit under section 290.0671, the property tax refund and rental credit under section 290A.04, and the Minnesota education credit under section 290.0674;

(9) between the Department of Human Services, the Department of Employment and Economic Development, and when applicable, the Department of Education, for the following purposes:

(i) to monitor the eligibility of the data subject for unemployment benefits, for any employment or training program administered, supervised, or certified by that agency;

(ii) to administer any rehabilitation program or child care assistance program, whether alone or in conjunction with the ~~welfare~~ welfare community services system;

(iii) to monitor and evaluate the Minnesota family investment program or the child care assistance program by exchanging data on recipients and former recipients of food support, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, medical programs under chapter 256B or 256L, or a medical program formerly codified under chapter 256D; and

(iv) to analyze public assistance employment services and program utilization, cost, effectiveness, and outcomes as implemented under the authority established in Title II, Sections 201-204 of the Ticket to Work and Work Incentives Improvement Act of 1999. Health records governed by sections 144.291 to 144.298 and "protected health information" as defined in Code of Federal Regulations, title 45, section 160.103, and governed by Code of Federal Regulations, title 45, parts 160-164, including health care claims utilization information, must not be exchanged under this clause;

(10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;

(11) data maintained by residential programs as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state according to Part C of Public Law 98-527 to protect the legal and human rights of persons with developmental disabilities or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;

(12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person;

(13) data on a child support obligor who makes payments to the public agency may be disclosed to the Minnesota Office of Higher Education to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5);

(14) participant Social Security numbers and names collected by the telephone assistance program may be disclosed to the Department of Revenue to conduct an electronic data match with the property tax refund database to determine eligibility under section 237.70, subdivision 4a;

(15) the current address of a Minnesota family investment program participant may be disclosed to law enforcement officers who provide the name of the participant and notify the agency that:

(i) the participant:

(A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime that is a felony under the laws of the jurisdiction from which the individual is fleeing; or

(B) is violating a condition of probation or parole imposed under state or federal law;

(ii) the location or apprehension of the felon is within the law enforcement officer's official duties; and

(iii) the request is made in writing and in the proper exercise of those duties;

(16) the current address of a recipient of general assistance may be disclosed to probation officers and corrections agents who are supervising the recipient and to law enforcement officers who are investigating the recipient in connection with a felony level offense;

(17) information obtained from food support applicant or recipient households may be disclosed to local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food Stamp Act, according to Code of Federal Regulations, title 7, section 272.1(c);

(18) the address, Social Security number, and, if available, photograph of any member of a household receiving food support shall be made available, on request, to a local, state, or federal law enforcement officer if the officer furnishes the agency with the name of the member and notifies the agency that:

(i) the member:

(A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

(B) is violating a condition of probation or parole imposed under state or federal law; or

(C) has information that is necessary for the officer to conduct an official duty related to conduct described in subitem (A) or (B);

(ii) locating or apprehending the member is within the officer's official duties; and

(iii) the request is made in writing and in the proper exercise of the officer's official duty;

(19) the current address of a recipient of Minnesota family investment program, general assistance, or food support may be disclosed to law enforcement officers who, in writing, provide

the name of the recipient and notify the agency that the recipient is a person required to register under section 243.166, but is not residing at the address at which the recipient is registered under section 243.166;

(20) certain information regarding child support obligors who are in arrears may be made public according to section 518A.74;

(21) data on child support payments made by a child support obligor and data on the distribution of those payments excluding identifying information on obligees may be disclosed to all obligees to whom the obligor owes support, and data on the enforcement actions undertaken by the public authority, the status of those actions, and data on the income of the obligor or obligee may be disclosed to the other party;

(22) data in the work reporting system may be disclosed under section 256.998, subdivision 7;

(23) to the Department of Education for the purpose of matching Department of Education student data with public assistance data to determine students eligible for free and reduced-price meals, meal supplements, and free milk according to United States Code, title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state funds that are distributed based on income of the student's family; and to verify receipt of energy assistance for the telephone assistance plan;

(24) the current address and telephone number of program recipients and emergency contacts may be released to the commissioner of health or a community health board as defined in section 145A.02, subdivision 5, when the commissioner or community health board has reason to believe that a program recipient is a disease case, carrier, suspect case, or at risk of illness, and the data are necessary to locate the person;

(25) to other state agencies, statewide systems, and political subdivisions of this state, including the attorney general, and agencies of other states, interstate information networks, federal agencies, and other entities as required by federal regulation or law for the administration of the child support enforcement program;

(26) to personnel of public assistance programs as defined in section 256.741, for access to the child support system database for the purpose of administration, including monitoring and evaluation of those public assistance programs;

(27) to monitor and evaluate the Minnesota family investment program by exchanging data between the Departments of Human Services and Education, on recipients and former recipients of food support, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, medical programs under chapter 256B or 256L, or a medical program formerly codified under chapter 256D;

(28) to evaluate child support program performance and to identify and prevent fraud in the child support program by exchanging data between the Department of Human Services, Department of Revenue under section 270B.14, subdivision 1, paragraphs (a) and (b), without regard to the limitation of use in paragraph (c), Department of Health, Department of Employment and Economic Development, and other state agencies as is reasonably necessary to perform these functions;

(29) counties operating child care assistance programs under chapter 119B may disseminate data on program participants, applicants, and providers to the commissioner of education;

(30) child support data on the child, the parents, and relatives of the child may be disclosed to agencies administering programs under titles IV-B and IV-E of the Social Security Act, as authorized by federal law; ~~or~~

(31) to a health care provider governed by sections 144.291 to 144.298, to the extent necessary to coordinate services;

(32) to school or Head Start Program personnel to the extent necessary to coordinate services for a student, child, or family; or

(33) for purposes of obtaining access to court services data under section 13.84, subdivision 5, clause (h).

(b) Information on persons who have been treated for drug or alcohol abuse may only be disclosed according to the requirements of Code of Federal Regulations, title 42, sections 2.1 to 2.67.

(c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16), (17), or (18), or paragraph (b), are investigative data and are confidential or protected nonpublic while the investigation is active. The data are private after the investigation becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).

(d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but are not subject to the access provisions of subdivision 10, paragraph (b).

For the purposes of this subdivision, a request will be deemed to be made in writing if made through a computer interface system.

Sec. 4. Minnesota Statutes 2016, section 13.84, subdivision 5, is amended to read:

Subd. 5. **Disclosure.** Private or confidential court services data shall not be disclosed except:

(a) pursuant to section 13.05;

(b) pursuant to a statute specifically authorizing disclosure of court services data;

(c) with the written permission of the source of confidential data;

(d) to the court services department, parole or probation authority or state or local correctional agency or facility having statutorily granted supervision over the individual subject of the data;

(e) pursuant to subdivision 6;

(f) pursuant to a valid court order; ~~or~~

(g) pursuant to section 611A.06, subdivision 3a; or

(h) to county personnel in the community services system, as defined in section 13.46, subdivision 1, paragraph (c), in order to coordinate services for an individual or family.

Sec. 5. Minnesota Statutes 2016, section 626.556, subdivision 10j, is amended to read:

Subd. 10j. **Release of data to mandated reporters.** (a) A local social services or child protection agency, or the agency responsible for assessing or investigating the report of maltreatment or for providing child protective services, shall provide relevant private data on individuals obtained under this section to a mandated reporter who made the report and who has an ongoing responsibility for the health, education, or welfare of a child affected by the data, unless the agency determines that providing the data would not be in the best interests of the child. The agency may provide the data to other mandated reporters with ongoing responsibility for the health, education, or welfare of the child. Mandated reporters with ongoing responsibility for the health, education, or welfare of a child affected by the data include the child's teachers or other appropriate school personnel, foster parents, health care providers, respite care workers, therapists, social workers, child care providers, residential care staff, crisis nursery staff, probation officers, and court services personnel. Under this section, a mandated reporter need not have made the report to be considered a person with ongoing responsibility for the health, education, or welfare of a child affected by the data. Data provided under this section must be limited to data pertinent to the individual's responsibility for caring for the child.

(b) A reporter who receives private data on individuals under this subdivision must treat the data according to that classification, regardless of whether the reporter is an employee of a government entity. The remedies and penalties under sections 13.08 and 13.09 apply if a reporter releases data in violation of this section or other law.

Sec. 6. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall change the term "welfare data" to "community services data" wherever it appears in Minnesota Statutes and Minnesota Rules.

Sec. 7. **REPEALER.**

Minnesota Statutes 2016, section 13.468, is repealed."

Renumber the articles and sections in sequence

Amend the title accordingly

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

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

S.F. No. 1291: A bill for an act relating to human services; modifying provisions governing children and families services, chemical and mental health services, operations, health care, and community supports; making various technical corrections; amending Minnesota Statutes 2016, sections 144D.04, subdivision 2, by adding a subdivision; 245.095; 245.462, subdivisions 6, 11; 245.464, subdivision 2; 245.466, subdivision 2; 245.470, subdivision 2; 245.4871, subdivisions 9a, 14, by adding a subdivision; 245.4875, subdivision 2; 245.488, subdivision 2; 245.735, subdivision 3; 245.8261, subdivision 1; 245A.02, subdivisions 5a, 8, 9, 12, by adding subdivisions; 245A.03,

subdivisions 1, 7; 245A.04, subdivisions 2, 4, 6, 7, 10, 14, by adding a subdivision; 245A.05; 245A.07, subdivision 2; 245A.11, by adding subdivisions; 245D.02, subdivision 20; 245D.03, subdivision 1; 245D.04, subdivision 3; 245D.071, subdivisions 1, 3; 245D.09, subdivision 5a; 245D.11, subdivision 4; 245D.24, subdivision 3; 253B.02, subdivision 9; 254B.15, subdivisions 4, 5; 256.01, subdivision 29, by adding a subdivision; 256.045, subdivision 3; 256B.02, subdivision 7; 256B.04, subdivision 21; 256B.055, subdivision 12; 256B.0615; 256B.0616; 256B.0622, subdivisions 2, 2b, 7a; 256B.0623, subdivision 2; 256B.0624, subdivisions 1, 2, 3, 4; 256B.0625, subdivisions 35a, 43, 60a; 256B.064, subdivision 1b; 256B.0651, subdivision 17; 256B.0659, subdivisions 3, 12, 14, 21, 23, 24; 256B.0911, subdivision 3a; 256B.092, subdivisions 1a, 14; 256B.0943, subdivisions 1, 2, 4, 7, 9; 256B.0946, subdivisions 1, 1a, 4, 6; 256B.0947, subdivisions 3a, 7; 256B.49, subdivisions 13, 25; 256B.4912, by adding a subdivision; 256B.4913, by adding a subdivision; 256B.4914, subdivisions 3, 5, 8, 16; 256B.84; 256B.85, subdivision 12b; 256G.01, subdivision 4; 256G.02, subdivision 4; 256G.09, subdivision 2; 256G.10; 256N.02, subdivisions 10, 16, 17, 18; 256N.22, subdivision 1; 256N.23, subdivision 6; 256N.24, subdivisions 1, 8, 11, 12, 14; 256N.28, subdivision 6; 256P.08, subdivision 4; 270B.14, subdivision 1; 626.5572, subdivision 21; proposing coding for new law in Minnesota Statutes, chapters 245; 245A; repealing Minnesota Statutes 2016, sections 119B.125, subdivision 8; 245.469; 245.4879; 256B.0624, subdivisions 4a, 5, 6, 7, 8, 9, 10, 11; 256B.0944; Minnesota Rules, parts 9555.6255; 9555.7100; 9555.7200; 9555.7300; 9555.7600.

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

Page 2, after line 2, insert:

"Section 1. Minnesota Statutes 2016, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. **Food stamp employment and training program.** The commissioner shall implement a food stamp employment and training program in order to meet the food stamp employment and training participation requirements of the United States Department of Agriculture. ~~Unless exempt under subdivision 3a, each adult recipient in the unit must participate in the food stamp employment and training program each month that the person is eligible for food stamps. The person's participation in food stamp employment and training services must begin no later than the first day of the calendar month following the determination of eligibility for food stamps. With the county agency's consent, and~~ To the extent of available resources, the person a recipient may voluntarily continue volunteer to participate in food stamp employment and training services for up to three additional consecutive months immediately following termination of food stamp benefits in order to complete the provisions of the person's employability development plan. A recipient who volunteers for employment and training services is subject to the work requirements in Code of Federal Regulations, title 7, section 273.7.

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

Sec. 2. Minnesota Statutes 2016, section 256D.051, subdivision 1a, is amended to read:

Subd. 1a. **Notices and sanctions.** (a) At the time the county agency notifies the household that it is eligible for food stamps, the county agency must inform ~~all mandatory employment and training services participants as identified in subdivision 1 in the household that they must comply with all food stamp employment and training program requirements each month, including the requirement~~

to attend an initial orientation to the food stamp employment and training program and that food stamp eligibility will end unless the participants comply with the requirements specified in the notice an adult of the opportunity to volunteer for and participate in SNAP employment and training activities, provide plain language material that explains the benefits of voluntary participation, and provide the name and address of the county's designated employment and training service provider.

(b) A participant who fails without good cause to comply with food stamp employment and training program requirements of this section, including attendance at orientation, will lose food stamp eligibility for the following periods: The county must inform each recipient who is an able-bodied adult without dependents that the recipient's SNAP benefits are limited to three months in a 36-month period from the first full month of application unless the recipient meets the work requirements in Code of Federal Regulations, title 7, section 273.7.

~~(1) for the first occurrence, for one month or until the person complies with the requirements not previously complied with, whichever is longer;~~

~~(2) for the second occurrence, for three months or until the person complies with the requirements not previously complied with, whichever is longer; or~~

~~(3) for the third and any subsequent occurrence, for six months or until the person complies with the requirements not previously complied with, whichever is longer.~~

~~If the participant is not the food stamp head of household, the person shall be considered an ineligible household member for food stamp purposes. If the participant is the food stamp head of household, the entire household is ineligible for food stamps as provided in Code of Federal Regulations, title 7, section 273.7(g). "Good cause" means circumstances beyond the control of the participant, such as illness or injury, illness or injury of another household member requiring the participant's presence, a household emergency, or the inability to obtain child care for children between the ages of six and 12 or to obtain transportation needed in order for the participant to meet the food stamp employment and training program participation requirements.~~

~~(c) The county agency shall mail or hand deliver a notice to the participant not later than five days after determining that the participant has failed without good cause to comply with food stamp employment and training program requirements which specifies the requirements that were not complied with, the factual basis for the determination of noncompliance, and the right to reinstate eligibility upon a showing of good cause for failure to meet the requirements. The notice must ask the reason for the noncompliance and identify the participant's appeal rights. The notice must request that the participant inform the county agency if the participant believes that good cause existed for the failure to comply and must state that the county agency intends to terminate eligibility for food stamp benefits due to failure to comply with food stamp employment and training program requirements.~~

~~(d) If the county agency determines that the participant did not comply during the month with all food stamp employment and training program requirements that were in effect, and if the county agency determines that good cause was not present, the county must provide a ten-day notice of termination of food stamp benefits. The amount of food stamps that are withheld from the household and determination of the impact of the sanction on other household members is governed by Code of Federal Regulations, title 7, section 273.7.~~

~~(e) The participant may appeal the termination of food stamp benefits under the provisions of section 256.045.~~

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

Sec. 3. Minnesota Statutes 2016, section 256D.051, subdivision 2, is amended to read:

Subd. 2. **County agency duties.** (a) The county agency shall provide to food stamp recipients a food stamp employment and training program. The program must include:

(1) orientation to the food stamp employment and training program;

(2) an individualized employability assessment and an individualized employability development plan that includes assessment of literacy, ability to communicate in the English language, educational and employment history, and that estimates the length of time it will take the participant to obtain employment. The employability assessment and development plan must be completed in consultation with the participant, must assess the participant's assets, barriers, and strengths, and must identify steps necessary to overcome barriers to employment. A copy of the employability development plan must be provided to the registrant;

(3) referral to available accredited remedial or skills training or career pathways programs designed to address participant's barriers to employment;

(4) referral to available programs that provide subsidized or unsubsidized employment as necessary;

(5) a job search program, including job seeking skills training; and

(6) other activities, to the extent of available resources designed by the county agency to prepare the participant for permanent employment.

~~In order to allow time for job search, the county agency may not require an individual to participate in the food stamp employment and training program for more than 32 hours a week. The county agency shall require an individual to spend at least eight hours a week in job search or other food stamp employment and training program activities.~~

(b) The county agency shall prepare an annual plan for the operation of its food stamp employment and training program. The plan must be submitted to and approved by the commissioner of employment and economic development. The plan must include:

(1) a description of the services to be offered by the county agency;

(2) a plan to coordinate the activities of all public entities and private nonprofit entities providing employment-related services in order to avoid duplication of effort and to provide a wide range of allowable activities and services more efficiently;

(3) a description of the factors that will be taken into account when determining a client's employability development plan; and

(4) provisions to ensure that ~~the~~ a county agency's employment and training service provider provides each recipient with an orientation, employability assessment, and employability development plan as specified in paragraph (a), clauses (1) and (2), within 30 days of the recipient's eligibility for assistance request to participate in employment and training.

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

Sec. 4. Minnesota Statutes 2016, section 256D.051, subdivision 3, is amended to read:

Subd. 3. **Participant duties.** In order to receive food stamp ~~assistance~~ employment and training services, a ~~registrant~~ participant who volunteers shall: (1) cooperate with the county agency in all aspects of the food stamp employment and training program; and (2) accept any suitable employment, including employment offered through the Job Training Partnership Act, and other employment and training options; ~~and (3) participate in food stamp employment and training activities assigned by the county agency. The county agency may terminate employment and training assistance to a registrant voluntary participant who fails to cooperate in the food stamp employment and training program, as provided in subdivision 1a unless good cause is provided.~~

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

Sec. 5. Minnesota Statutes 2016, section 256D.051, subdivision 3a, is amended to read:

Subd. 3a. **Requirement to register work.** ~~(a)~~ To the extent required under Code of Federal Regulations, title 7, section 273.7(a), each applicant for and recipient of food stamps is required to register for work as a condition of eligibility for food stamp benefits. Applicants and recipients are registered by signing an application or annual reapplication for food stamps, and must be informed that they are registering for work by signing the form.

~~(b) The commissioner shall determine, within federal requirements, persons required to participate in the food stamp employment and training (FSET) program.~~

~~(c) The following food stamp recipients are exempt from mandatory participation in food stamp employment and training services:~~

~~(1) recipients of benefits under the Minnesota family investment program, Minnesota supplemental aid program, or the general assistance program;~~

~~(2) a child;~~

~~(3) a recipient over age 55;~~

~~(4) a recipient who has a mental or physical illness, injury, or incapacity which is expected to continue for at least 30 days and which impairs the recipient's ability to obtain or retain employment as evidenced by professional certification or the receipt of temporary or permanent disability benefits issued by a private or government source;~~

~~(5) a parent or other household member responsible for the care of either a dependent child in the household who is under age six or a person in the household who is professionally certified as having a physical or mental illness, injury, or incapacity. Only one parent or other household member may claim exemption under this provision;~~

~~(6) a recipient receiving unemployment insurance or who has applied for unemployment insurance and has been required to register for work with the Department of Employment and Economic Development as part of the unemployment insurance application process;~~

~~(7) a recipient participating each week in a drug addiction or alcohol abuse treatment and rehabilitation program, provided the operators of the treatment and rehabilitation program, in consultation with the county agency, recommend that the recipient not participate in the food stamp employment and training program;~~

~~(8) a recipient employed or self-employed for 30 or more hours per week at employment paying at least minimum wage, or who earns wages from employment equal to or exceeding 30 hours multiplied by the federal minimum wage; or~~

~~(9) a student enrolled at least half time in any school, training program, or institution of higher education. When determining if a student meets this criteria, the school's, program's or institution's criteria for being enrolled half time shall be used.~~

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

Sec. 6. Minnesota Statutes 2016, section 256D.051, subdivision 3b, is amended to read:

Subd. 3b. **Orientation.** The county agency or its employment and training service ~~provider~~ providers must provide an orientation to food stamp employment and training services to each ~~nonexempt food stamp~~ recipient within 30 days of the date ~~that food stamp eligibility is determined~~ the recipient agreed to volunteer. The orientation must inform the participant of the ~~requirement to participate~~ benefits of participating in services, the date, time, and address to report to for services, the name and telephone number of the food stamp employment and training service provider, the consequences for failure without good cause to comply, the services and support services available through food stamp employment and training services and other providers of similar services, and must encourage the participant to view the food stamp program as a temporary means of supplementing the family's food needs until the family achieves self-sufficiency through employment. The orientation may be provided through audio-visual methods, but the participant must have the opportunity for face-to-face interaction with county agency staff.

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

Sec. 7. Minnesota Statutes 2016, section 256D.051, subdivision 6b, is amended to read:

Subd. 6b. **Federal reimbursement.** (a) Federal financial participation from the United States Department of Agriculture for food stamp employment and training expenditures that are eligible for reimbursement through the food stamp employment and training program are dedicated funds and are annually appropriated to the commissioner of human services for the operation of the food stamp employment and training program.

(b) The appropriation must be used for skill attainment through employment, training, and support services for food stamp participants. By February 15, 2017, the commissioner shall report to the chairs and ranking minority members of the legislative committees having jurisdiction over the food stamp employment and training program on the progress of securing additional federal reimbursement dollars under this program.

(c) Federal financial participation for the nonstate portion of food stamp employment and training costs must be paid to the county agency or service provider that incurred the costs at a rate to be determined by the Departments of Human Services and Employment and Economic Development.

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

Sec. 8. Minnesota Statutes 2016, section 256D.051, subdivision 8, is amended to read:

Subd. 8. **Voluntary quit.** A person who is required to participate in food stamp employment and training services is not eligible for food stamps if, without good cause, the person refuses a legitimate offer of, or quits, suitable employment within ~~60~~ 30 days before the date of application. A person who is required to participate in food stamp employment and training services and, without good cause, voluntarily quits suitable employment or refuses a legitimate offer of suitable employment while receiving food stamps shall be terminated from the food stamp program ~~as specified in subdivision 1a.~~

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

Sec. 9. Minnesota Statutes 2016, section 256D.051, subdivision 18, is amended to read:

Subd. 18. **Work experience placements.** (a) To the extent of available resources, each county agency ~~must~~ may establish and operate a work experience component in the food stamp employment and training program for recipients who are subject to a federal limit of three months of food stamp eligibility in any 36-month period. The purpose of the work experience component is to enhance the participant's employability, self-sufficiency, and to provide meaningful, productive work activities.

(b) The commissioner shall assist counties in the design and implementation of these components. The commissioner must ensure that job placements under a work experience component comply with section 256J.72. Written or oral concurrence with job duties of persons placed under the community work experience program shall be obtained from the appropriate exclusive bargaining representative.

(c) Worksites developed under this section are limited to projects that serve a useful public service such as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, community service, services to aged or disabled citizens, and child care. To the extent possible, the prior training, skills, and experience of a recipient must be used in making appropriate work experience assignments.

(d) Structured, supervised ~~volunteer~~ uncompensated work with an agency or organization that is monitored by the county service provider may, with the approval of the county agency, be used as a work experience placement.

(e) As a condition of placing a person receiving food stamps in a program under this subdivision, the county agency shall first provide the recipient the opportunity:

(1) for placement in suitable subsidized or unsubsidized employment through participation in job search under section 256D.051; ~~or~~

(2) for placement in suitable employment through participation in ~~on-the-job training a paid work experience~~, if such employment is available; or

(3) for placement in an educational program designed to increase job skills and employability.

(f) The county agency shall limit the maximum monthly number of hours that any participant may work in a work experience placement to a number equal to the amount of the family's monthly food stamp allotment divided by the greater of the federal minimum wage or the applicable state minimum wage.

After a participant has been assigned to a position for nine months, the participant may not continue in that assignment unless the maximum number of hours a participant works is no greater than the amount of the food stamp benefit divided by the rate of pay for individuals employed in the same or similar occupations by the same employer at the same site.

(g) The participant's employability development plan must include the length of time needed in the work experience program, the need to continue job seeking activities while participating in work experience, and the participant's employment goals.

(h) After each six months of a recipient's participation in a work experience job placement, and at the conclusion of each work experience assignment under this section, the county agency shall reassess and revise, as appropriate, the participant's employability development plan.

(i) A participant has good cause for failure to cooperate with a work experience job placement if, in the judgment of the employment and training service provider, the reason for failure is reasonable and justified. ~~Good cause for purposes of this section is defined in subdivision 1a, paragraph (b).~~

(j) A recipient who has failed without good cause to participate in or comply with the work experience job placement shall be terminated from participation in work experience job activities. ~~If the recipient is not exempt from mandatory food stamp employment and training program participation under subdivision 3a, the recipient will be assigned to other mandatory program activities. If the recipient is exempt from mandatory participation but is participating as a volunteer, the person shall be terminated from the food stamp employment and training program.~~

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

Sec. 10. Minnesota Statutes 2016, section 256J.626, subdivision 5, is amended to read:

Subd. 5. **Innovation projects.** Beginning January 1, 2005, no more than \$3,000,000 of the funds annually appropriated to the commissioner for use in the consolidated fund shall be available to the commissioner to reward high-performing counties and tribes, support promising practices, ~~and~~ test innovative approaches to improving outcomes, and to provide for evaluation of projects, promising practices, and innovative approaches for MFIP participants, family stabilization services participants, and persons at risk of receiving MFIP as detailed in subdivision 3. Project funds may be targeted to geographic areas with poor outcomes as specified in section 256J.751, subdivision 5, or to subgroups within the MFIP case load who are experiencing poor outcomes.

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

Sec. 11. Minnesota Statutes 2016, section 256J.751, subdivision 2, is amended to read:

Subd. 2. ~~Quarterly comparison report~~ **TANF work participation rates.** ~~(a) The commissioner shall report quarterly to all counties on each county's performance on the following measures:~~

- ~~(1) percent of MFIP caseload working in paid employment;~~
- ~~(2) percent of MFIP caseload receiving only the food portion of assistance;~~
- ~~(3) number of MFIP cases that have left assistance;~~
- ~~(4) median placement wage rate;~~
- ~~(5) caseload by months of TANF assistance;~~

~~(6) percent of MFIP and diversionary work program (DWP) cases off cash assistance or working 30 or more hours per week at one-year, two-year, and three-year follow-up points from a baseline quarter. This measure is called the self-support index. The commissioner shall report quarterly an expected range of performance for each county, county grouping, and tribe on the self-support index. The expected range shall be derived by a statistical methodology developed by the commissioner in consultation with the counties and tribes. The statistical methodology shall control differences across counties in economic conditions and demographics of the MFIP and DWP case load; and~~

~~(7) the TANF work participation rate, defined as the participation requirements specified under Public Law 109-171, the Deficit Reduction Act of 2005.~~

~~(b) The commissioner shall not apply the limits on vocational educational training and education activities under Code of Federal Regulations, title 45, section 261.33(c), when determining TANF work participation rates for individual counties under this subdivision.~~

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

Sec. 12. Minnesota Statutes 2016, section 256J.751, is amended by adding a subdivision to read:

Subd. 2a. **Comparison reports.** The commissioner, in cooperation with counties, tribes, and employment services agencies, shall develop and provide monthly and quarterly reports to all counties, tribes, and employment service agencies on each county's and tribe's performance, including work participation rate and racial and geographic data that measures disparities within MFIP.

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

Sec. 13. Minnesota Statutes 2016, section 256J.751, is amended by adding a subdivision to read:

Subd. 4a. **Self-support index.** The self-support index is the percentage of MFIP and diversionary work program (DWP) cases off cash assistance or working 30 hours or more per week at one-, two-, and three-year follow-up points from a baseline quarter. The commissioner shall report quarterly an expected range of performance for each county, county grouping, and tribe on the self-support index. The expected range shall be based on a statistical methodology developed by the commissioner in consultation with the counties and tribes. The statistical methodology shall control differences across counties in economic conditions and demographics of the MFIP and DWP caseload.

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

Sec. 14. Minnesota Statutes 2016, section 256J.751, subdivision 5, is amended to read:

Subd. 5. **Failure to meet federal performance standards.** (a) If sanctions occur for failure to meet the performance standards specified in title 1 of Public Law 104-193 of the Personal Responsibility and Work Opportunity Act of 1996, and under Public Law 109-171, the Deficit Reduction Act of 2005, the state shall pay 88 percent of the sanction. The remaining 12 percent of the sanction will be paid by the counties. The county portion of the sanction will be distributed across all counties in proportion to each county's percentage of the MFIP average monthly caseload during the period for which the sanction was applied.

(b) If a county fails to meet the performance standards specified in title 1 of Public Law 104-193 of the Personal Responsibility and Work Opportunity Act of 1996, and Public Law 109-171, the Deficit Reduction Act of 2005, for any year, the commissioner shall work with counties to organize a joint state-county technical assistance team to work with the county. The commissioner shall coordinate any technical assistance with other departments and agencies including the Departments of Employment and Economic Development and Education as necessary to achieve the purpose of this paragraph.

(c) For state performance measures, a low-performing county is one that:

(1) performs below the bottom of their expected range for the measure in subdivision ~~2~~, ~~clause (6)~~, 5 in an annualized measurement reported in October of each year; or

(2) performs below 40 percent for the ~~measure in subdivision 2, clause (7)~~ TANF work participation rate, as averaged across the four quarterly measurements for the year, or the ten counties with the lowest rates if more than ten are below 40 percent.

(d) Low-performing counties under paragraph (c) must engage in corrective action planning as defined by the commissioner. The commissioner may coordinate technical assistance as specified in paragraph (b) for low-performing counties under paragraph (c).

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

Page 8, delete section 12 and insert:

"Sec. 26. Minnesota Statutes 2016, section 256P.02, subdivision 1, is amended to read:

Subdivision 1. **Property ownership.** (a) The agency must apply paragraphs (b) to (e) to determine the value of personal property. The agency must use the equity value of legally available personal property to determine whether an applicant or participant is eligible for assistance.

(b) When personal property is jointly owned by two or more persons, the agency shall assume that each person owns an equal share, except that either person owns the entire sum of a joint personal checking or savings account. When an applicant or participant documents greater or lesser ownership, the agency must use that greater or lesser share to determine the equity value held by the applicant or participant. Other types of ownership must be evaluated according to law.

(c) Personal property owned by the applicant or participant must be presumed legally available to the applicant or participant unless the applicant or participant documents that the property is not legally available to the applicant or participant. When personal property is not legally available, its equity value must not be applied against the limits of subdivision 2.

(d) An applicant must disclose whether the applicant has transferred personal property valued in excess of the property limits in subdivision 2 for which reasonable compensation was not received within one year prior to application. A participant must disclose all transfers of property valued in excess of these limits, according to the reporting requirements in section 256J.30, subdivision 9. When a transfer of personal property without reasonable compensation has occurred:

(1) the person who transferred the property must provide the property's description, information needed to determine the property's equity value, the names of the persons who received the property, and the circumstances of and reasons for the transfer; and

(2) when the transferred property can be reasonably reacquired, or when reasonable compensation can be secured, the property is presumed legally available to the applicant or participant.

(e) A participant may build the equity value of personal property to the limits in subdivision 2.

(f) Any lump sum payment that remains in the third month after the month of receipt is counted in the asset limit.

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

Sec. 27. Minnesota Statutes 2016, section 256P.02, subdivision 1a, is amended to read:

Subd. 1a. **Exemption.** Participants who qualify for child care assistance programs under chapter 119B and funds under chapter 256Q are exempt from this section.

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

Page 10, line 7, strike "emergency" and insert "crisis"

Page 11, line 26, delete "addresses" and insert "must address"

Page 11, line 27, delete "identifies" and insert "identity"

Page 20, line 20, after "including" insert "911 dispatch,"

Page 21, line 5, after "satisfaction" insert ", including notifying recipients of the process by which the county accepts and responds to concerns"

Page 21, line 18, delete "timeliness" insert "timelines"

Page 23, line 13, after "recipient" insert ", the recipient's guardian, or the recipient's family"

Page 23, line 32, after "recipient" insert ", the recipient's guardian, or the recipient's family"

Page 30, line 13, strike "for the program"

Page 31, line 21, after "provided" insert "to a child"

Page 31, line 26, strike "for the program"

Page 38, line 18, after "the" insert "employment and"

Page 38, line 19, after "full-time" insert "employment and"

Page 38, line 20, after "in" insert "employment and"

Page 38, line 22, after the first "the" insert "employment and"

Page 38, line 24, before "vocational" insert "employment and"

Page 38, line 27, after "of" insert "employment or"

Page 40, after line 2, insert:

"Sec. 19. Minnesota Statutes 2016, section 256B.0622, subdivision 7b, is amended to read:

Subd. 7b. **Assertive community treatment program size and opportunities.** (a) Each ACT team shall maintain an annual average caseload that does not exceed 100 clients. Staff-to-client ratios shall be based on team size as follows:

(1) a small ACT team must:

(i) employ at least six but no more than seven full-time treatment team staff, excluding the program assistant and the psychiatric care provider;

(ii) serve an annual average maximum of no more than 50 clients;

(iii) ensure at least one full-time equivalent position for every eight clients served;

(iv) schedule ACT team staff for at least eight-hour shift coverage on weekdays and on-call duty to provide crisis services and deliver services after hours when staff are not working;

(v) provide crisis services during business hours if the small ACT team does not have sufficient staff numbers to operate an after-hours on-call system. During all other hours, the ACT team may arrange for coverage for crisis assessment and intervention services through a reliable crisis-intervention provider as long as there is a mechanism by which the ACT team communicates routinely with the crisis-intervention provider and the on-call ACT team staff are available to see clients face-to-face when necessary or if requested by the crisis-intervention services provider;

(vi) adjust schedules and provide staff to carry out the needed service activities in the evenings or on weekend days or holidays, when necessary;

(vii) arrange for and provide psychiatric backup during all hours the psychiatric care provider is not regularly scheduled to work. If availability of the ACT team's psychiatric care provider during all hours is not feasible, alternative psychiatric prescriber backup must be arranged and a mechanism of timely communication and coordination established in writing;

(viii) be composed of, at minimum, one full-time team leader, at least 16 hours each week per 50 clients of psychiatric provider time, or equivalent if fewer clients, one full-time equivalent nursing, one full-time substance abuse specialist, one full-time equivalent mental health certified peer specialist, one full-time vocational specialist, one full-time program assistant, and at least one additional full-time ACT team member who has mental health professional ~~or practitioner status~~; and

(2) a midsize ACT team shall:

(i) be composed of, at minimum, one full-time team leader, at least 16 hours of psychiatry time for 51 clients, with an additional two hours for every six clients added to the team, 1.5 to two full-time equivalent nursing staff, one full-time substance abuse specialist, one full-time equivalent mental health certified peer specialist, one full-time vocational specialist, one full-time program assistant, and at least 1.5 to two additional full-time equivalent ACT members, with at least one dedicated full-time staff member with mental health professional status. Remaining team members may have mental health professional or practitioner status;

(ii) employ seven or more treatment team full-time equivalents, excluding the program assistant and the psychiatric care provider;

(iii) serve an annual average maximum caseload of 51 to 74 clients;

(iv) ensure at least one full-time equivalent position for every nine clients served;

(v) schedule ACT team staff for a minimum of ten-hour shift coverage on weekdays and six- to eight-hour shift coverage on weekends and holidays. In addition to these minimum specifications, staff are regularly scheduled to provide the necessary services on a client-by-client basis in the evenings and on weekends and holidays;

(vi) schedule ACT team staff on-call duty to provide crisis services and deliver services when staff are not working;

(vii) have the authority to arrange for coverage for crisis assessment and intervention services through a reliable crisis-intervention provider as long as there is a mechanism by which the ACT team communicates routinely with the crisis-intervention provider and the on-call ACT team staff are available to see clients face-to-face when necessary or if requested by the crisis-intervention services provider; and

(viii) arrange for and provide psychiatric backup during all hours the psychiatric care provider is not regularly scheduled to work. If availability of the psychiatric care provider during all hours is not feasible, alternative psychiatric prescriber backup must be arranged and a mechanism of timely communication and coordination established in writing;

(3) a large ACT team must:

(i) be composed of, at minimum, one full-time team leader, at least 32 hours each week per 100 clients, or equivalent of psychiatry time, three full-time equivalent nursing staff, one full-time substance abuse specialist, one full-time equivalent mental health certified peer specialist, one full-time vocational specialist, one full-time program assistant, and at least two additional full-time

equivalent ACT team members, with at least one dedicated full-time staff member with mental health professional status. Remaining team members may have mental health professional or mental health practitioner status;

(ii) employ nine or more treatment team full-time equivalents, excluding the program assistant and psychiatric care provider;

(iii) serve an annual average maximum caseload of 75 to 100 clients;

(iv) ensure at least one full-time equivalent position for every nine individuals served;

(v) schedule staff to work two eight-hour shifts, with a minimum of two staff on the second shift providing services at least 12 hours per day weekdays. For weekends and holidays, the team must operate and schedule ACT team staff to work one eight-hour shift, with a minimum of two staff each weekend day and every holiday;

(vi) schedule ACT team staff on-call duty to provide crisis services and deliver services when staff are not working; and

(vii) arrange for and provide psychiatric backup during all hours the psychiatric care provider is not regularly scheduled to work. If availability of the ACT team psychiatric care provider during all hours is not feasible, alternative psychiatric backup must be arranged and a mechanism of timely communication and coordination established in writing.

(b) An ACT team of any size may have a staff-to-client ratio that is lower than the requirements described in paragraph (a) upon approval by the commissioner, but may not exceed a one-to-ten staff-to-client ratio."

Page 43, line 26, after "recipient" insert ", the recipient's guardian, or the recipient's family"

Page 52, after line 7, insert:

"Sec. 31. Minnesota Statutes 2016, section 256B.0943, subdivision 8, is amended to read:

Subd. 8. **Required ~~preservice~~ training and continuing education.** (a) A provider entity shall establish a ~~plan~~ training program to provide ~~preservice~~ training and continuing education for staff. The ~~plan~~ training program must ~~clearly~~ describe the type of training provided by the entity necessary to obtain new skills and maintain current skills and obtain new skills and that relates to the provider entity's goals and objectives for services offered to provide appropriate services.

(b) A provider entity that employs a mental health behavioral aide under this section must require the mental health behavioral aide to complete 30 hours of ~~preservice~~ training. ~~The preservice training must include parent team training. The preservice training must include 15 hours of in-person training of a mental health behavioral aide in mental health services delivery and eight hours of parent team training. Before providing services to a client, the aide must complete 24 hours of training, including training on the role and limitations of a behavioral aide, boundaries, ethics, confidentiality, the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), child development, documentation, crisis de-escalation skills, and common medications, their side effects and impact on symptoms. A provider entity's policies are not considered part of the 24 hours of required training.~~

Within 60 days of employment, the aide must complete six hours of Department of Human Services approved or delivered parent team training. Curricula for parent team training must be approved in advance by the commissioner. Components of parent team training include:

- (1) ~~partnering with parents as partners;~~
- (2) ~~fundamentals of family support~~ understanding and supporting families;
- (3) ~~fundamentals of policy and decision making~~ impact on siblings;
- (4) ~~defining equal partnership~~ the role of culture in family structures; and
- (5) ~~complexities of the parent and service provider partnership in multiple service delivery systems due to system strengths and weaknesses;~~
- (6) ~~sibling impacts;~~
- (7) ~~(5) community resources and~~ support networks; and
- (8) ~~community resources.~~

(c) A provider entity that employs a mental health practitioner and a mental health behavioral aide to provide children's therapeutic services and supports under this section must require the mental health practitioner and mental health behavioral aide to complete 20 hours of continuing education every two calendar years. The continuing education must be related to serving the needs of a child with emotional disturbance ~~in the child's home environment and the child's family.~~

(d) The provider entity must document the mental health practitioner's or mental health behavioral aide's annual completion of the required continuing education. The documentation must include the date, subject, ~~and~~ number of hours of the continuing education, and attendance records, as verified by the staff member's signature, job title, and the instructor's name. The provider entity must keep documentation for each employee, including records of attendance at professional workshops and conferences, at a central location and in the employee's personnel file.

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

Page 65, line 24, strike everything after "disenrolled," and insert "disqualified, has a license that has been revoked or suspended under chapter 245A, or has been debarred or suspended"

Page 65, line 25, strike everything before "under"

Page 75, line 1, delete "Sale of a program" and insert "Change of ownership requirements"

Page 76, line 19, delete "pursuant to subdivision 4," and insert "and"

Page 77, delete line 5

Page 77, line 6, delete "(2)" and insert "(1)"

Page 77, line 8, delete "(3)" and insert "(2)"

Page 77, line 10, delete "(4)" and insert "(3)"

Page 77, line 15, delete "(5)" and insert "(4)"

Page 78, line 2, delete "section" and insert "subdivision"

Page 80, delete section 19

Page 87, line 18, after the period, insert "This provision does not apply to mental health crisis services provided under section 256B.0624 outside of normal business hours if on-call staff are being dispatched directly from a location other than the provider's usual place of business."

Page 99, line 3, delete the second "and" and insert a comma

Page 101, delete section 35

Page 108, delete lines 18 to 22 and insert "only if determined necessary for health and safety reasons identified by the home care provider's registered nurse in an initial assessment or reassessment, as defined under section 144A.4791, subdivision 8, and documented in the written service plan under section 144A.4791, subdivision 9. Any restrictions of those rights for people served under sections 256B.0915 and 256B.49 must be documented in the resident's coordinated service and support plan (CSSP), as defined under sections 256B.49, subdivision 15, and 256B.0915, subdivision 6."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

H.F. No. 22 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.
22	50				

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.

SECOND READING OF SENATE BILLS

S.F. Nos. 879, 1190, 1072, 1106, 562, 961, and 915 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 22 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Jasinski, Rosen, and Draheim introduced--

S.F. No. 1656: A bill for an act relating to capital investment; appropriating money for the Mill Towns State Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Goggin, Sparks, Weber, Lang, and Dziezic introduced--

S.F. No. 1657: A bill for an act relating to agriculture; establishing a farm-to-school program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Senator Hall introduced--

S.F. No. 1658: A bill for an act relating to arts and cultural heritage; appropriating money for two Dan Patch statues.

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

Senator Weber introduced--

S.F. No. 1659: A bill for an act relating to taxation; property; modifying the accreditation requirements for individuals appraising or physically inspecting real property; applying the current licensure requirement only to individuals appraising or inspecting real property in counties having 1,000 or more improved parcels classified as 3a; amending Minnesota Statutes 2016, section 270C.9901.

Referred to the Committee on Taxes.

Senators Abeler and Wiger introduced--

S.F. No. 1660: A bill for an act relating to education; requiring a trustee to oversee the closure of a charter school; amending Minnesota Statutes 2016, section 124E.10, by adding a subdivision.

Referred to the Committee on E-12 Policy.

Senators Abeler and Clausen introduced--

S.F. No. 1661: A bill for an act relating to higher education; requiring the Minnesota State Colleges and Universities to develop a developmental education reform proposal.

Referred to the Committee on Higher Education Finance and Policy.

Senators Abeler and Eaton introduced--

S.F. No. 1662: A bill for an act relating to human services; establishing chronic pain rehabilitation therapy demonstration project; appropriating money.

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

Senators Nelson, Pratt, Franzen, Wiger, and Abeler introduced--

S.F. No. 1663: A bill for an act relating to education; health; modifying child eligibility for the early learning scholarship program; modifying the administration of the early learning scholarship program; establishing a targeted home visiting grant program for high-risk populations; appropriating money; amending Minnesota Statutes 2016, section 124D.165, subdivisions 1, 2, 3.

Referred to the Committee on E-12 Policy.

Senator Hayden introduced--

S.F. No. 1664: A bill for an act relating to health; adding alcohol and drug counselors to the health professional education loan forgiveness program; amending Minnesota Statutes 2016, sections 144.1501, subdivisions 1, 2, 3; 144.608, subdivision 1; 147A.08.

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

Senator Weber introduced--

S.F. No. 1665: A bill for an act relating to health; establishing qualifications for cremator operators who perform cremations; modifying the duties of the commissioner of health; amending Minnesota Statutes 2016, sections 149A.02, by adding a subdivision; 149A.03; 149A.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 149A.

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

Senators Limmer, Chamberlain, Gazelka, Schoen, and Marty introduced--

S.F. No. 1666: A resolution expressing concern over persistent and credible reports of systematic, state-sanctioned, forced organ harvesting from nonconsenting prisoners of conscience, primarily from Falun Gong practitioners imprisoned for their spiritual beliefs, and members of other religious and ethnic minority groups in the People's Republic of China.

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

Senators Relph and Mathews introduced--

S.F. No. 1667: A bill for an act relating to public safety; appropriating money for the Central Minnesota Sex Trafficking Task Force.

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

Senators Anderson, P.; Chamberlain; and Pratt introduced--

S.F. No. 1668: A bill for an act relating to taxation; income; modifying the small business investment credit; adding definitions; requiring additional information from applicant businesses; providing for priority businesses; modifying allocation of credits; making the credit permanent; amending Minnesota Statutes 2016, section 116J.8737, subdivisions 1, 2, 5, 6, 7, 9, by adding a subdivision; repealing Minnesota Statutes 2016, section 116J.8737, subdivision 12.

Referred to the Committee on Taxes.

Senator Franzen introduced--

S.F. No. 1669: A bill for an act relating to taxation; individual income and corporate franchise; establishing a refundable tax credit for certain qualified child care expenses and professionals; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senator Schoen introduced--

S.F. No. 1670: A bill for an act relating to capital investment; appropriating money for preservation and rehabilitation of public buildings on the city of Hastings public square, which includes the historically designated Hastings City Hall and the Hastings Police Department; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Latz, Marty, Pappas, Dziedzic, and Schoen introduced--

S.F. No. 1671: A bill for an act relating to public safety; prohibiting persons from interfering with access to reproductive health services and facilities; establishing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Senators Draheim and Weber introduced--

S.F. No. 1672: A bill for an act relating to energy; delaying the effective date of a law that provides that certain wind easements, options, and leases do not expire after seven years if the project does not begin commercial operation; amending Laws 2008, chapter 296, article 1, section 25, as amended.

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

Senator Draheim introduced--

S.F. No. 1673: A bill for an act relating to agriculture; modifying the Farmer-Lender Mediation Act; increasing the minimum debt amount; amending Minnesota Statutes 2016, sections 336.9-601; 550.365, subdivision 1; 559.209, subdivision 1; 582.039, subdivision 1; 583.24, subdivision 4, by adding a subdivision; 583.26, subdivisions 2, 3, 3a, 4, 10; 583.27, subdivision 1; repealing Minnesota Statutes 2016, section 583.22, subdivision 7b.

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

Senator Weber introduced--

S.F. No. 1674: A bill for an act relating to agriculture; making policy and technical changes to various agricultural-related provisions; reorganizing dairy law; making conforming changes; amending Minnesota Statutes 2016, sections 13.6435, subdivision 8; 15.985; 18B.01, subdivisions 8, 31, by adding subdivisions; 18B.03, subdivisions 1, 4; 18B.04; 18B.26, subdivision 1; 18B.28, subdivisions 1, 3; 18B.305, subdivision 1; 18B.37, subdivision 3; 18H.06, subdivision 2; 18H.07, subdivisions 2, 3; 21.111, subdivisions 2, 3; 21.113; 21.117; 25.32; 25.33, subdivisions 5, 10, 21; 25.341, subdivisions 1, 2; 25.35; 25.371, subdivision 2; 25.38; 25.39, subdivisions 1, 1a, 2, 3; 25.40, subdivision 2; 25.41, subdivisions 1, 2, 3, 5, 7a; 25.42; 25.43; 27.04; 27.041, subdivision 1; 28A.03, by adding a subdivision; 28A.04, subdivision 1; 28A.05; 28A.08, subdivision 3; 28A.15, by adding subdivisions; 28A.21, subdivision 6; 31A.02, subdivision 4; 41B.03, subdivisions 2, 3; 223.17, subdivision 8; 232.22, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 18B; 27; proposing coding for new law as Minnesota Statutes, chapter 32D; repealing Minnesota Statutes 2016, sections 18B.01, subdivisions 10a, 10b, 22a; 18B.285; 25.371, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; 28A.15, subdivision 2; 32.01, subdivisions 1, 2, 6, 8, 9, 10, 11, 12; 32.021; 32.071; 32.072; 32.073; 32.074; 32.075; 32.076; 32.078; 32.10; 32.102; 32.103; 32.105; 32.106; 32.21; 32.212; 32.22; 32.25; 32.391, subdivisions 1, 1d, 1e, 1f, 1g, 2, 3; 32.392; 32.393; 32.394, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 8a, 8b, 8c, 8d, 8e, 9, 11, 12; 32.395; 32.397; 32.398, subdivision 1; 32.401, subdivisions 1, 2, 3, 5; 32.415; 32.416; 32.475; 32.481, subdivision 1; 32.482; 32.483; 32.484; 32.486; 32.55, subdivisions 1, 2, 3, 4, 5, 12, 13, 14; 32.555; 32.56; 32.61; 32.62; 32.63; 32.64; 32.645; 32.70; 32.71; 32.72; 32.74; 32.745; 32.75; 32.90.

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

Senators Latz, Pappas, and Isaacson introduced--

S.F. No. 1675: A bill for an act relating to corrections; requiring state and local jail and prison inmates to be housed in publicly owned and operated jails and prisons; prohibiting the state and counties from contracting with private prisons; amending Minnesota Statutes 2016, section 241.01, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapters 243; 641.

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

Senator Dahms introduced--

S.F. No. 1676: A bill for an act relating to natural resources; modifying prairie and grasslands public grazing program; requiring fencing on certain lands; appropriating money; amending Minnesota Statutes 2016, section 84.972; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Senators Abeler and Wiklund introduced--

S.F. No. 1677: A bill for an act relating to health licensing; making technical changes; expanding duty to warn and reciprocity for certain mental health professionals; amending Minnesota Statutes 2016, sections 148B.56; 148B.593; 148F.03.

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

Senators Eichorn, Tomassoni, Utke, and Bakk introduced--

S.F. No. 1678: A bill for an act relating to natural resources; appropriating money for forestry management.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Eichorn, Tomassoni, Bakk, and Ruud introduced--

S.F. No. 1679: A bill for an act relating to local government aid; modifying payment in lieu of taxes provisions for large forest easement lands; appropriating money; amending Minnesota Statutes 2016, sections 477A.11, by adding a subdivision; 477A.12, subdivisions 1, 2; 477A.14, subdivision 3.

Referred to the Committee on Taxes.

Senators Tomassoni and Eichorn introduced--

S.F. No. 1680: A bill for an act relating to taxation; minerals; production tax on taconite; modifying the guaranteed distribution formula for the taconite municipal aid account; indexing the municipal aid account allocation to inflation; amending Minnesota Statutes 2016, sections 298.225, subdivision 1; 298.28, subdivision 3.

Referred to the Committee on Taxes.

Senator Ruud introduced--

S.F. No. 1681: A bill for an act relating to solid waste; making compliance with the metropolitan long-range solid waste policy plan optional; requiring rulemaking for the revision of certain solid waste standards; amending Minnesota Statutes 2016, sections 473.149, subdivisions 1, 3; 473.516, subdivision 2; 473.803, subdivision 1c; 473.811, subdivisions 1, 4a; 473.823, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Senator Utke introduced--

S.F. No. 1682: A bill for an act relating to taxation; property; prohibiting an increase in property value for homesteads owned by persons age 65 or older; amending Minnesota Statutes 2016, sections 273.11, subdivision 5, by adding a subdivision; 273.121, subdivision 1; 276.04, subdivision 2.

Referred to the Committee on Taxes.

Senator Utke introduced--

S.F. No. 1683: A bill for an act relating to capital investment; appropriating money for Red Lake School District; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Housley, Cohen, Latz, and Limmer introduced--

S.F. No. 1684: A bill for an act relating to public safety; creating a supplemental nonprofit security grant program; appropriating money.

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

Senator Clausen introduced--

S.F. No. 1685: A bill for an act relating to education; modifying school disciplinary actions; amending Minnesota Statutes 2016, sections 120B.11, subdivision 5; 121A.45, subdivision 2, by adding a subdivision; 121A.61, subdivision 2.

Referred to the Committee on E-12 Policy.

Senator Clausen introduced--

S.F. No. 1686: A bill for an act relating to transportation; appropriating money for a railroad quiet zone in Rosemount.

Referred to the Committee on Transportation Finance and Policy.

Senators Sparks; Anderson, P.; Ruud; Nelson; and Dziejczak introduced--

S.F. No. 1687: A bill for an act relating to capital investment; appropriating money for shade tree replacement; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Sparks; Anderson, P.; Ruud; Nelson; and Dzedzic introduced--

S.F. No. 1688: A bill for an act relating to agriculture; appropriating money for shade tree replacement.

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

Senator Clausen introduced--

S.F. No. 1689: A bill for an act relating to health occupations; requiring mental health assessment and training as part of continuing education requirements for primary care providers; requiring rulemaking; amending Minnesota Statutes 2016, section 214.12, by adding a subdivision.

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

Senators Utke, Lourey, and Weber introduced--

S.F. No. 1690: A bill for an act relating to human services; modifying provisions governing allocation of money to certain community action agencies; appropriating money for community action grants and financial coaching; amending Minnesota Statutes 2016, section 256E.30, subdivision 2.

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

Senator Clausen introduced--

S.F. No. 1691: A bill for an act relating to education; providing for a system redesign of support services for homeless families; modifying eligibility for early learning scholarships; requiring a report; appropriating money; amending Minnesota Statutes 2016, section 124D.165, subdivision 2.

Referred to the Committee on E-12 Policy.

Senators Jensen and Abeler introduced--

S.F. No. 1692: A bill for an act relating to health; eliminating the interoperable electronic health records system mandate; amending Minnesota Statutes 2016, section 62J.495, subdivisions 1, 3.

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

Senators Weber and Dahms introduced--

S.F. No. 1693: A bill for an act relating to natural resources; modifying requirements for buffers on public waters and drainage ditches; clarifying certain rulemaking for soil loss ordinances; amending Minnesota Statutes 2016, sections 103B.101, subdivision 12a; 103F.411, subdivision 1; 103F.48, subdivisions 1, 3, 7.

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

Senators Ruud and Anderson, B. introduced--

S.F. No. 1694: A bill for an act relating to the military; designating June 29 as General John Vessey Day; requiring the placement of a General John Vessey statue in the State Capitol; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Senator Ruud introduced--

S.F. No. 1695: A bill for an act relating to natural resources; modifying off-highway motorcycle education and training program; modifying provisions of Minnesota Naturalist Corps; modifying invasive species provisions; modifying requirements for designating forest trails; modifying state water trail provisions; modifying water safety requirements; modifying grant, contract, and lease provisions; modifying provisions to take, possess, and transport wildlife; modifying commissioner's duties and authority; requiring rulemaking; amending Minnesota Statutes 2016, sections 84.01, by adding a subdivision; 84.791, subdivisions 1, 2; 84.946, subdivision 2, by adding a subdivision; 84.992, subdivisions 3, 4, 5, 6; 84D.03, subdivisions 3, 4; 84D.04, subdivision 1; 84D.05, subdivision 1; 84D.11, by adding a subdivision; 85.32, subdivision 1; 86B.105; 86B.313, subdivision 1; 86B.501, subdivision 3; 86B.511; 88.523; 89.19, subdivision 2; 89.39; 90.041, subdivision 2; 90.051; 90.14; 90.151, subdivision 1; 90.162; 90.252; 94.343, subdivision 9; 94.344, subdivision 9; 97A.015, subdivisions 39, 43, 45, 52, 53; 97A.045, subdivision 10; 97A.475, subdivision 42; 97B.655, subdivision 1; 97C.601, subdivisions 2, 5; 97C.701, by adding a subdivision; 103G.411; 160.06; proposing coding for new law in Minnesota Statutes, chapter 97A; repealing Minnesota Statutes 2016, sections 84.025, subdivision 10; 84.026, subdivision 3; 85.012, subdivision 27b; 86B.313, subdivisions 2, 3; 97C.601, subdivision 3; 97C.701, subdivisions 1a, 6; 97C.705; 97C.711; Minnesota Rules, parts 6256.0200; 6258.0100; 6258.0200; 6258.0300; 6258.0400; 6258.0500; 6258.0600; 6258.0700, subparts 1, 4, 5; 6258.0800; 6258.0900.

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

Senators Ingebrigtsen, Newman, and Limmer introduced--

S.F. No. 1696: A bill for an act relating to data practices; permitting trade associations to access vehicle registration information in certain circumstances; waiving a fee; amending Minnesota Statutes 2016, sections 13.6905, subdivision 3; 168.327, subdivision 1; 168.345, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

Senators Dzedzic, Nelson, Cwodzinski, and Relph introduced--

S.F. No. 1697: A bill for an act relating to arts and cultural heritage; appropriating money for Somali Museum of Minnesota.

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

Senators Nelson; Pappas; Anderson, P.; and Kent introduced--

S.F. No. 1698: A bill for an act relating to education finance; appropriating money for grants to the Minnesota Children's Museum and the Minnesota Children's Museum, Rochester.

Referred to the Committee on E-12 Finance.

Senators Anderson, B. and Relph introduced--

S.F. No. 1699: A bill for an act relating to taxation; individual income; extending the military pay and military retirement pay subtractions to military technicians; amending Minnesota Statutes 2016, section 290.0132, subdivisions 11, 21.

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

Senators Anderson, B. and Draheim introduced--

S.F. No. 1700: A bill for an act relating to crime; clarifying military member and adding veterans to offense of impersonation; amending Minnesota Statutes 2016, section 609.475.

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

Senator Anderson, B. introduced--

S.F. No. 1701: A bill for an act relating to taxation; sales and use; county agricultural societies; providing an exemption for county agricultural society sales at county fairs; amending Minnesota Statutes 2016, sections 38.27, by adding a subdivision; 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Lang and Schoen introduced--

S.F. No. 1702: A bill for an act relating to human services; appropriating money for child and adolescent behavioral health services.

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

Senators Mathews; Anderson, B.; and Abeler introduced--

S.F. No. 1703: A bill for an act relating to veterans; designating July 16 as Atomic Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Senators Hayden, Hoffman, Torres Ray, Dibble, and Tomassoni introduced--

S.F. No. 1704: A bill for an act relating to human services; modifying allocation and permitted uses of county child protection funds; appropriating money; amending Minnesota Statutes 2016, section 256M.41, subdivisions 2, 3.

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

Senator Rosen introduced--

S.F. No. 1705: A bill for an act relating to retirement; Minnesota State Retirement System; revising augmentation interest rates for certain terminated privatized employees; amending Minnesota Statutes 2016, section 352F.04, subdivisions 1, 2, by adding subdivisions.

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

Senators Weber and Sparks introduced--

S.F. No. 1706: A bill for an act relating to energy; modifying certain permitting provisions for renewable energy systems; amending Minnesota Statutes 2016, sections 216B.243, subdivision 8; 216E.03, subdivisions 3, 9; 216E.04, subdivision 7; 216F.01, subdivision 2; 216F.011; 216F.04; repealing Minnesota Statutes 2016, section 216F.081.

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

Senators Klein and Schoen introduced--

S.F. No. 1707: A bill for an act relating to transportation; capital investment; appropriating money for expansion and renovation of the civil air patrol training and maintenance facility at the South St. Paul airport.

Referred to the Committee on Transportation Finance and Policy.

Senators Wiklund, Benson, Abeler, and Lourey introduced--

S.F. No. 1708: A bill for an act relating to health occupations; establishing a registry system for spoken language health care interpreters; appropriating money; amending Minnesota Statutes 2016, section 256B.0625, subdivision 18a; proposing coding for new law as Minnesota Statutes, chapter 146C; repealing Minnesota Statutes 2016, section 144.058.

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

Senators Kiffmeyer, Draheim, and Jensen introduced--

S.F. No. 1709: A bill for an act relating to state government; establishing a Legislative Commission to Review Consolidation of the State's Information Technology; requiring a report.

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

Senators Hawj and Anderson, B. introduced--

S.F. No. 1710: A bill for an act relating to state government; establishing a new state holiday to recognize Hmong people who assisted the United States during the Vietnam War; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Senators Lourey and Abeler introduced--

S.F. No. 1711: A bill for an act relating to health; adding and modifying definitions; changing licensing requirements for businesses regulated by the Board of Pharmacy; clarifying requirements for compounding; changing provisions related to the manufacture and wholesale distribution of drugs; clarifying grounds for disciplinary action; prohibiting certain interactions between practitioners and pharmacists and pharmacies; repealing obsolete language; amending Minnesota Statutes 2016, sections 144.999, subdivision 3; 151.065, subdivisions 1, 3, 6; 151.15; 151.18; 151.19, subdivision 3; 151.252, subdivisions 1, 1a; 151.253, by adding a subdivision; 151.32; 151.43; 151.44; 151.46; 151.47; 151.49; 151.50; 152.02, subdivision 6; 152.13; 295.50, subdivision 14; proposing coding for new law in Minnesota Statutes, chapters 62Q; 151; repealing Minnesota Statutes 2016, sections 151.061; 151.13, subdivision 2; 151.19, subdivision 4; 151.27; 151.42; 151.51; 151.55; Minnesota Rules, part 6800.1600.

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

Senators Kiffmeyer and Jensen introduced--

S.F. No. 1712: A bill for an act relating to transportation; making changes to the project selection process for the corridors of commerce program; amending Minnesota Statutes 2016, section 161.088, subdivisions 4, 5, 7, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

Senators Kiffmeyer and Jensen introduced--

S.F. No. 1713: A bill for an act relating to transportation; establishing a Metro Mobility Enhancement Task Force; requiring a legislative report.

Referred to the Committee on Transportation Finance and Policy.

Senator Limmer introduced--

S.F. No. 1714: A bill for an act relating to data practices; amending access to portable recording system data; amending audit requirements; amending Minnesota Statutes 2016, section 13.825, subdivisions 7, 9.

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

Senator Limmer introduced--

S.F. No. 1715: A bill for an act relating to the open meeting law; defining meeting; amending Minnesota Statutes 2016, section 13D.01, subdivision 1.

Referred to the Committee on Local Government.

Senator Limmer introduced--

S.F. No. 1716: A bill for an act relating to state government; providing for any task force to comply with the Open Meeting Law; amending Minnesota Statutes 2016, sections 3.055, by adding a subdivision; 13D.08, by adding a subdivision.

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

Senator Limmer introduced--

S.F. No. 1717: A bill for an act relating to data practices; modifying provisions on personnel data; requiring disclosure of certain sources of remuneration; amending Minnesota Statutes 2016, section 13.43, subdivision 2.

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

Senator Limmer introduced--

S.F. No. 1718: A bill for an act relating to data practices; modifying requirements for a government entity denying access to data; amending Minnesota Statutes 2016, section 13.03, subdivision 3.

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

Senator Limmer introduced--

S.F. No. 1719: A bill for an act relating to data practices; defining correspondence in government record retention law; providing minimum three-year retention period for correspondence; amending Minnesota Statutes 2016, sections 15.17, subdivisions 1, 2; 138.17, subdivisions 1, 7.

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

Senator Pappas introduced--

S.F. No. 1720: A bill for an act relating to public safety; requiring certifying entities to timely process U-Visa certification documents; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

Senators Hoffman and Carlson introduced--

S.F. No. 1721: A bill for an act relating to public safety; increasing penalties for distracted driving violations; amending Minnesota Statutes 2016, section 169.475, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

Senators Abeler, Relph, Cwodzinski, Dziedzic, and Nelson introduced--

S.F. No. 1722: A bill for an act relating to community development; establishing a Somali community development pilot grant program; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Senator Abeler introduced--

S.F. No. 1723: A bill for an act relating to health; modifying provisions in the Medical Cannabis Therapeutic Research Act; amending Minnesota Statutes 2016, sections 144.99, subdivision 1; 152.25, subdivision 1, by adding a subdivision; 152.29, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 2016, section 152.33, subdivision 6.

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

Senators Klein, Lourey, and Hayden introduced--

S.F. No. 1724: A bill for an act relating to children; recodifying the Maltreatment of Minors Act; correcting cross-references; amending Minnesota Statutes 2016, sections 13.32, subdivision 3; 13.3805, subdivision 3; 13.43, subdivision 14; 13.46, subdivisions 3, 4; 13.82, subdivisions 8, 9, 17; 13.821; 13.84, subdivision 9; 13.871, subdivision 6; 13.88; 122A.20, subdivision 2; 122A.40, subdivision 13; 122A.41, subdivision 6; 125A.0942, subdivision 4; 135A.15, subdivision 10; 144.225, subdivision 2b; 144.343, subdivision 4; 144.7065, subdivision 10; 144.7068; 144A.472, subdivision 1; 144A.479, subdivision 6; 144A.4796, subdivisions 2, 6; 145.902, subdivision 3; 145.952; 146A.025; 148B.593; 148E.240, subdivision 7; 148F.13, subdivision 12; 148F.205, subdivision 1; 153B.70; 214.103, subdivision 8; 214.104; 243.166, subdivision 7; 245.8261, subdivision 9; 245A.04, subdivision 5; 245A.06, subdivision 8; 245A.07, subdivisions 3, 5; 245A.08, subdivision 2a; 245A.085; 245A.11, subdivision 7b; 245A.145, subdivision 1; 245A.40, subdivision 1; 245A.66, subdivision 3; 245C.05, subdivision 6; 245C.15, subdivision 4; 245C.16, subdivision 1; 245C.17, subdivision 3; 245C.21, subdivision 2; 245C.24, subdivision 4; 245C.25; 245C.27, subdivisions 1, 2; 245C.28, subdivision 1; 245C.29, subdivision 1; 245C.31, subdivision 1; 245C.32, subdivision 2; 245D.02, subdivision 11; 245D.06, subdivisions 1, 6; 245D.09, subdivision 4; 245D.32, subdivision 5; 245F.04, subdivision 1; 245F.15, subdivisions 3, 5; 245F.16, subdivisions 1, 2; 245F.18; 254A.09; 254B.04, subdivision 1; 256.01, subdivisions 12, 14b, 15; 256.045, subdivisions 3, 3b, 4; 256B.0621, subdivision 4; 256B.0625, subdivision 33; 256B.0945, subdivision 1; 256B.0951, subdivision 5; 256B.0954; 256B.097, subdivisions 4, 6; 256B.77, subdivision 17; 256B.85, subdivisions 10, 12a; 256E.21, subdivision 5; 256F.10, subdivisions 1, 4; 256L.07, subdivision 4; 256M.10, subdivision 2; 256M.40, subdivision 1; 256M.41, subdivisions 1, 3; 257.0764; 260.012; 260.761, subdivision 2; 260B.171, subdivision 6; 260B.198, subdivision 1; 260C.007, subdivisions 3, 5, 6, 13; 260C.139, subdivision 3; 260C.150, subdivision 3; 260C.171, subdivision 3; 260C.177; 260C.178, subdivision 1; 260C.201, subdivision 6; 260C.209, subdivision 2; 260C.212, subdivision 12; 260C.221; 260C.503, subdivision 2; 260D.01; 260D.02, subdivisions 3, 5; 299C.093; 388.051, subdivision 2; 518.165, subdivisions 2, 5; 524.5-118, subdivision 2; 595.02, subdivisions 1, 2; 609.26, subdivision 7; 609.3457, subdivision 2; 609.379, subdivision 2; 609.507; 609.7495, subdivision 1; 611A.203, subdivision 4; 611A.90, subdivision 1; 626.5561, subdivisions 1, 3; 626.5562, subdivision 2; 626.557,

subdivision 9d; 626.558, subdivision 3; 626.559, subdivisions 1, 2, 3; 626.5591, subdivision 1; 626.561, subdivisions 2, 3; proposing coding for new law as Minnesota Statutes, chapter 626B; repealing Minnesota Statutes 2016, section 626.556.

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

Senators Nelson, Dahms, Hoffman, and Rosen introduced--

S.F. No. 1725: A bill for an act relating to education; modifying alternative teacher preparation and compensation programs; creating a Teacher Shortage Task Force; expanding the concurrent enrollment teacher program; requiring a report; appropriating money; amending Minnesota Statutes 2016, sections 122A.245, subdivisions 1, 2, 3, 10; 122A.414, by adding a subdivision; 122A.415; 136A.1791, subdivisions 1, 2, 9; Laws 2016, chapter 189, article 25, sections 58; 62, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on E-12 Policy.

Senators Pappas, Hall, and Ingebrigtsen introduced--

S.F. No. 1726: A bill for an act relating to family law; establishing a cooperative private divorce program; making conforming changes; appropriating money; amending Minnesota Statutes 2016, sections 62A.21, subdivision 2a; 518.191, by adding a subdivision; 518.195, by adding a subdivision; 518A.43, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Senator Bakk introduced--

S.F. No. 1727: A bill for an act relating to game and fish; establishing moratorium on public access acquisitions; amending Minnesota Statutes 2016, section 97A.141, subdivision 1.

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

Senators Eaton and Laine introduced--

S.F. No. 1728: A bill for an act relating to education finance; providing ongoing funding for recovery schools; appropriating money.

Referred to the Committee on E-12 Finance.

Senators Abeler and Eaton introduced--

S.F. No. 1729: A bill for an act relating to health; modifying the duties of the Home Care Provider Advisory Council with respect to the use of revenue generated by fines on providers; appropriating money; amending Minnesota Statutes 2016, sections 144A.474, subdivision 11; 144A.4799, subdivision 3.

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

Senators Utke and Fischbach introduced--

S.F. No. 1730: A bill for an act relating to human services; appropriating money to the Minnesota State Council on Disability.

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

Senators Ruud, Wiger, Chamberlain, Kent, and Housley introduced--

S.F. No. 1731: A bill for an act relating to water; exempting certain storm water use from water-use permit requirements; amending Minnesota Statutes 2016, sections 103G.005, by adding a subdivision; 103G.271, subdivision 1.

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

Senator Hayden introduced--

S.F. No. 1732: A bill for an act relating to public safety; expanding the contempt of court crime; amending Minnesota Statutes 2016, section 588.20, subdivision 2.

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

Senator Franzen introduced--

S.F. No. 1733: A bill for an act relating to transportation; clarifying window glazing exceptions for limousines; amending Minnesota Statutes 2016, section 169.71, subdivision 4.

Referred to the Committee on Transportation Finance and Policy.

Senators Ruud, Rest, and Senjem introduced--

S.F. No. 1734: A bill for an act relating to clean water; appropriating money from the clean water fund.

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

Senators Franzen, Rest, Pratt, and Miller introduced--

S.F. No. 1735: A bill for an act relating to state government; requiring the state forecast include the rate of inflation; amending Minnesota Statutes 2016, section 16A.103, subdivisions 1a, 1b.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Senator Draheim moved that the names of Senators Gazelka and Miller be added as co-authors to S.F. No. 802. The motion prevailed.

Senator Hall moved that the name of Senator Little be added as a co-author to S.F. No. 932. The motion prevailed.

Senator Fischbach moved that the name of Senator Jasinski be added as a co-author to S.F. No. 990. The motion prevailed.

Senator Simonson moved that the name of Senator Dziejczak be added as a co-author to S.F. No. 1227. The motion prevailed.

Senator Anderson, B. moved that his name be stricken as a co-author to S.F. No. 1323. The motion prevailed.

Senator Westrom moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 1497. The motion prevailed.

Senator Wiklund moved that the name of Senator Eaton be added as a co-author to S.F. No. 1514. The motion prevailed.

Senator Nelson moved that the names of Senators Eichorn; Anderson, P.; and Torres Ray be added as co-authors to S.F. No. 1556. The motion prevailed.

Senator Dahms moved that the name of Senator Bakk be added as a co-author to S.F. No. 1563. The motion prevailed.

Senator Pratt moved that the name of Senator Wiger be added as a co-author to S.F. No. 4. The motion prevailed.

Senator Simonson moved that S.F. No. 675 be withdrawn from the Committee on Agriculture, Rural Development, and Housing Finance and returned to its author. The motion prevailed.

Senator Latz moved that S.F. No. 1323 be withdrawn from the Committee on Human Services Reform Finance and Policy and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

Senator Rest moved that S.F. No. 1544 be withdrawn from the Committee on Taxes and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

SPECIAL ORDERS

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

H.F. No. 434 and S.F. No. 218.

SPECIAL ORDER

H.F. No. 434: A bill for an act relating to natural resources; allowing certain temporary conditions for wetland replacement for local government roads; appropriating money for wetland banking credits.

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 55 and nays 12, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Isaacson	Lourey	Ruud
Anderson, B.	Eken	Jasinski	Mathews	Schoen
Anderson, P.	Fischbach	Jensen	Miller	Senjem
Bakk	Frentz	Johnson	Nelson	Simonson
Benson	Gazelka	Kent	Newman	Sparks
Carlson	Goggin	Kiffmeyer	Newton	Tomassoni
Chamberlain	Hall	Klein	Osmek	Utke
Clausen	Hawj	Koran	Pappas	Weber
Cohen	Hoffman	Lang	Pratt	Westrom
Dahms	Housley	Limmer	Relph	Wiger
Draheim	Ingebrigtsen	Little	Rosen	Wiklund

Those who voted in the negative were:

Champion	Dziedzic	Hayden	Marty
Cwodzinski	Eaton	Laine	Rest
Dibble	Franzen	Latz	Torres Ray

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 218: A bill for an act relating to transportation; prohibiting road authorities from establishing certain requirements and permits that govern mowing.

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 47 and nays 20, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson	Cwodzinski	Hawj	Latz	Rest
Champion	Dibble	Hayden	Marty	Torres Ray
Clausen	Dziedzic	Kent	Newton	Wiger
Cohen	Eaton	Laine	Pappas	Wiklund

So the bill passed and its title was agreed to.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, March 6, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate