

TWENTY-EIGHTH DAY

St. Paul, Minnesota, Monday, March 13, 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 Rod Anderson.

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

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

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

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

February 24, 2017

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Julie Goehring, 780 - 70th Ave. N.W., Moorhead, in the county of Clay, effective March 1, 2017, for a term expiring on January 4, 2021.

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

February 24, 2017

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Mark Misukanis, 965 Stratford Rd., Mendota Heights, in the county of Dakota, effective March 1, 2017, for a term expiring on January 4, 2021.

David Rowland, 6605 Dakota Tr., Edina, in the county of Hennepin, effective March 1, 2017, for a term expiring on January 4, 2021.

(Referred to the Committee on Higher Education Finance and Policy.)

February 27, 2017

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF TEACHING

James Barnhill, 4709 - 17th Ave. S., Minneapolis, in the county of Hennepin, effective March 1, 2017, for a term expiring on January 4, 2021.

Jim Grabowska, 520 Main St. E., P.O. Box 408, Saint Clair, in the county of Blue Earth, effective March 1, 2017, for a term expiring on January 4, 2021.

Anne Krafthefer, 1601 E. 4th St., Duluth, in the county of Saint Louis, effective March 1, 2017, for a term expiring on January 4, 2021.

28TH DAY]

MONDAY, MARCH 13, 2017

1283

Melanie Lawrence-Smith, 10009 Liatris Ln., Eden Prairie, in the county of Hennepin, effective March 1, 2017, for a term expiring on January 4, 2021.

Loy Woelber, 2590 - 121st St., Avoca, in the county of Murray, effective March 1, 2017, for a term expiring on January 4, 2021.

(Referred to the Committee on E-12 Policy.)

Sincerely,  
Mark Dayton, Governor

March 13, 2017

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

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2017 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2017	Date Filed 2017
	434	7	10:04 a.m. March 10	March 13

Sincerely,  
Steve Simon  
Secretary of State

### REPORTS OF COMMITTEES

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

#### **Senator Hall from the Committee on Local Government, to which was re-referred**

**S.F. No. 1011:** A bill for an act relating to the Metropolitan Council; authorizing the legislative auditor to audit the Metropolitan Council's financial statements; amending Minnesota Statutes 2016, section 3.971, subdivision 6.

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

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

**S.F. No. 925:** A bill for an act relating to health care; extending the Legislative Health Care Workforce Commission; specifying the work plan for the commission; appropriating money; amending Laws 2014, chapter 312, article 23, section 9, subdivision 8, by adding a subdivision; repealing Laws 2014, chapter 312, article 23, section 9, subdivision 5.

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

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

**S.F. No. 537:** A bill for an act relating to health occupations; creating a state Board of Occupational Therapy Practice; amending Minnesota Statutes 2016, sections 148.6402, subdivision 4; 148.6405; 148.6408, subdivision 2; 148.6410, subdivision 2; 148.6412, subdivision 2; 148.6415; 148.6418, subdivisions 1, 2, 4, 5; 148.6420, subdivisions 1, 3, 5; 148.6423; 148.6425, subdivisions 2, 3; 148.6428; 148.6443, subdivisions 5, 6, 7, 8; 148.6445, subdivisions 1, 10; 148.6448; 214.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2016, sections 148.6402, subdivision 2; 148.6450.

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

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

**S.F. No. 799:** A bill for an act relating to state government; modifying provisions for certain interagency agreements and intra-agency transfers; amending Minnesota Statutes 2016, sections 62V.05, subdivision 12; 144.05, subdivision 6; 256.01, subdivision 41.

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

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

**S.F. No. 106:** A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds to honor all Minnesota veterans who served in the United States armed forces, both at home and abroad, during World War I.

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

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

**S.F. No. 1581:** A bill for an act relating to health; providing for the licensure of prescribed pediatric extended care centers by the commissioner of health; setting fees; authorizing rulemaking; amending Minnesota Statutes 2016, section 626.556, subdivisions 2, 3, 3c, 10d; proposing coding for new law as Minnesota Statutes, chapter 144H.

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

Page 3, line 29, after "implement" insert "the technical implementation for sections 144H.01, 144H.02, 144H.03, 144H.04, and 144H.05." and delete "this chapter. In adopting"

Page 3, delete line 30

Page 4, delete line 1

Page 4, line 2, delete "training services."

Page 4, delete line 4

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

Page 4, line 8, after the semicolon, insert "and"

Page 4, delete lines 9 to 22

Page 4, line 23, delete "(15)" and insert "(3)"

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 Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-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 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **PARENTING WITH A DISABILITY; SUPPORT SERVICES; PILOT PROJECT.**

Subdivision 1. **Purpose.** The commissioner of human services shall establish a pilot project to assist parents with disabilities in childrearing tasks. The purpose of this pilot project is to assist parents with disabilities in childrearing tasks and to prevent removal of children from parents solely because the parents have disabilities.

Subd. 2. **Definitions.** (a) For the purposes of this section, the definitions in Minnesota Statutes, section 256B.0659, subdivision 1, apply except for the following terms that have the meanings given them in this subdivision.

(b) "Adaptive parenting equipment" means a piece of equipment that increases, extends, or improves the parenting capabilities of a parent with a disability.

(c) "Child" means a person under 18 years of age.

(d) "Childrearing task" means a task that assists a parent with a disability to care for the child. Childrearing task includes, but is not limited to: lifting and carrying the child, organizing supplies for the child, preparing meals for the child, washing clothing and bedding for the child, bathing the child, childproofing the home the parent and child live in, and assisting with transporting the child.

(e) "Commissioner" means the commissioner of human services.

(f) "Parent" means a child's biological, foster, or adoptive parent or legal guardian who is legally obligated to care for and support that child.

(g) "Person with a disability" means an individual who has a physical, mental, or psychological impairment or dysfunction that limits independent functioning in the family, community, or employment.

(h) "Supportive parenting service" means a nonmedical assistance service provided by a personal care assistant that (1) helps a parent with a disability compensate for aspects of the parent's disability that affect the parent's ability to care for the child, and (2) enables the parent to complete parental responsibilities, including childrearing tasks. Supportive parenting service does not include disciplining the parent's child.

Subd. 3. **Supportive parenting services.** (a) If a parent is eligible for and receiving personal care assistance services through medical assistance under Minnesota Statutes, section 256B.0659, the parent is eligible to receive supportive parenting services. Only one personal care assistant at a time may provide supportive parenting services to an eligible parent, regardless of the parent's number of children. Supportive parenting services provided under this section are services to the parent and not the child.

(b) Supportive parenting services must be provided by a different personal care assistant than the personal care assistant providing medical assistance personal care assistance services under Minnesota Statutes, section 256B.0659. The personal care assistant providing supportive parenting services under this section must not perform medical assistance personal care assistance services. The personal care assistant providing medical assistance personal care assistance services and the personal care assistant providing supportive parenting services may be scheduled to support the parent at the same time.

(c) Supportive parenting services under this section must not replace medical assistance personal care assistance services under Minnesota Statutes, section 256B.0659. Supportive parenting services under this section do not count toward a parent's monthly limit of medical assistance personal care

assistance hours under Minnesota Statutes, section 256B.0659, subdivision 11, paragraph (a), clause (10).

(d) A parent's supportive parenting services shall be limited to 40 hours per month.

(e) If the commissioner deems necessary, the commissioner shall develop standards and training requirements for personal care assistants providing supportive parenting services under this subdivision.

Subd. 4. **Adaptive parenting equipment.** A parent eligible for supportive parenting services under subdivision 3 is also eligible to receive adaptive parenting equipment. The commissioner shall develop a process for a parent to apply for adaptive parenting equipment. The process shall include an evaluation of the parent's adaptive parenting equipment needs.

Subd. 5. **Grants.** (a) The commissioner, in consultation with the advisory committee described in subdivision 7, shall develop an application process for and award two-year state-funded grants to personal care assistance provider agencies to provide supportive parenting services. A grant applicant must be an approved personal care assistance provider agency as defined in Minnesota Statutes, section 256B.0659, subdivision 1, paragraph (1).

(b) Grantees shall bill the department on forms provided by and in a manner prescribed by the commissioner. The rate for supportive parenting services shall be the same as the rate for services under Minnesota Statutes, section 256B.0659.

Subd. 6. **Report.** Within six months after the pilot project has concluded, or by January 1, 2019, whichever is earlier, the commissioner of human services, in consultation with the advisory committee, must submit a report on the pilot project to the chairs and ranking members of the legislative committees having jurisdiction over health and human services policy and finance. At a minimum, the report must address the following items:

(1) the total number of parents that were provided service through the pilot project;

(2) an analysis of the efficacy of this pilot project;

(3) the total cost of developing the service provided under the pilot project;

(4) proposed legislative changes to expand the pilot project; and

(5) any other information the commissioner deems necessary.

Subd. 7. **Advisory Committee.** (a) The Parenting with a Disability Advisory Committee is established according to Minnesota Statutes, section 15.059.

(b) The Parenting with a Disability Advisory Committee shall consist, at a minimum, of the following members:

(1) three public members, as defined in Minnesota Statutes, section 645.44, subdivision 5a. The public members shall be either persons with a disability and parents or caregivers to such persons, appointed by the commissioner of human services;

(2) three members who are personal care assistance providers, appointed by the commissioner of human services;

(3) two members of the senate, one member appointed by the senate majority leader and one member appointed by the senate minority leader; and

(4) two members of the house of representatives, one member appointed by the speaker of the house and one member appointed by the house of representatives minority leader.

(c) The committee shall elect a chair from among its members.

(d) A committee member may not vote on a decision of the committee in which the member has either a direct or indirect personal financial interest.

(e) The advisory committee duties shall, at a minimum, include:

(1) advising the commissioner regarding the methods to expand and improve the efficiency of services for parents with a disability; and

(2) assisting with the report required in subdivision 6, including proposing legislative changes.

Subd. 8. **Appropriation.** \$.....in fiscal year 2018 is appropriated from the general fund to the commissioner of human services to pay for the costs of establishing and administering the pilot project under this section. This is a onetime appropriation. The unencumbered balance in the first year does not cancel and is available until June 30, 2019.

**Sec. 2. FEDERAL WAIVER APPROVAL.**

The commissioner shall seek all necessary federal waivers, amendments to the state plan, and approval from the Centers for Medicare and Medicaid Services to expand the parenting with a disability support services pilot project under section 1."

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

**S.F. No. 1047:** A bill for an act relating to public safety; providing for consistency in background checks; amending Minnesota Statutes 2016, section 299C.095, subdivision 1; repealing Minnesota Statutes 2016, section 364.04.

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



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

**S.F. No. 1009:** A bill for an act relating to motor vehicles; providing for transfer-on-death of title to motor vehicles; exempting transfer from motor vehicle sales tax; amending Minnesota Statutes 2016, sections 256B.15, subdivision 1a; 297B.01, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Page 2, line 17, after "270C.63" insert a comma and after "subdivision." insert "A claim authorized by section 256B.15 against the estate of an owner of a motor vehicle titled in transfer-on-death form voids any transfer-on-death conveyance of a motor vehicle as described in this section."

Page 2, line 18, delete "those sections" and insert "section 246.53, 261.04, or 270C.63,"

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

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

**S.F. No. 809:** A bill for an act relating to financing of state government; providing deficiency funding for corrections and military affairs; appropriating money.

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

Page 1, delete section 2

Page 1, line 15, delete "and 2 are" and insert "is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "and military affairs"

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

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

**S.F. No. 1344:** A bill for an act relating to commerce; regulating insurance fraud; modifying certain penalties and notices; defining a term; clarifying the authority of the Commerce Fraud Bureau to apply for or execute search warrants; amending Minnesota Statutes 2016, sections 13.82,

subdivision 17; 45.0135, subdivision 9; 60A.27, subdivision 1; 65B.84, by adding a subdivision; 626.05, subdivision 2.

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

Page 2, line 23, strike "intentional"

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

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was re-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.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, 7b; 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, 8, 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; 256D.051, subdivisions 1, 1a, 2, 3, 3a, 3b, 6b, 8, 18; 256G.01, subdivision 4; 256G.02, subdivision 4; 256G.09, subdivision 2; 256G.10; 256J.626, subdivision 5; 256J.751, subdivisions 2, 5, by adding subdivisions; 256N.02, subdivisions 10, 16, 17, 18; 256N.22, subdivision 1; 256N.23, subdivision 6; 256N.24, subdivisions 1, 8, 11, 12, 14; 256P.02, subdivisions 1, 1a; 256P.08, subdivision 4; 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 9, delete section 10

Page 90, line 30, after "letter" insert "with the license application" and after "how" insert "and within what length of time"

Page 95, delete section 19

Page 100, after line 27, insert:

"Sec. 21. Minnesota Statutes 2016, section 256B.0622, subdivision 3a, is amended to read:

Subd. 3a. **Provider certification and contract requirements for assertive community treatment.** (a) The assertive community treatment provider entity must:

~~(1) have a contract with the host county to provide assertive community treatment services; and~~

~~(2) have each ACT team be certified by the state following the certification process and procedures developed by the commissioner. The certification process determines whether the ACT team meets the standards for assertive community treatment under this section as well as minimum program fidelity standards as measured by a nationally recognized fidelity tool approved by the commissioner. Recertification must occur at least every three years.~~

(b) An ACT team certified under this subdivision must meet the following standards:

(1) have capacity to recruit, hire, manage, and train required ACT team members;

(2) have adequate administrative ability to ensure availability of services;

(3) ensure adequate preservice and ongoing training for staff;

(4) ensure that staff is capable of implementing culturally specific services that are culturally responsive and appropriate as determined by the client's culture, beliefs, values, and language as identified in the individual treatment plan;

(5) ensure flexibility in service delivery to respond to the changing and intermittent care needs of a client as identified by the client and the individual treatment plan;

(6) develop and maintain client files, individual treatment plans, and contact charting;

(7) develop and maintain staff training and personnel files;

(8) submit information as required by the state;

(9) keep all necessary records required by law;

(10) comply with all applicable laws;

(11) be an enrolled Medicaid provider;

(12) establish and maintain a quality assurance plan to determine specific service outcomes and the client's satisfaction with services; and

(13) develop and maintain written policies and procedures regarding service provision and administration of the provider entity.

(c) The commissioner may intervene at any time and decertify an ACT team with cause. The commissioner shall establish a process for decertification of an ACT team and shall require corrective

action, medical assistance repayment, or decertification of an ACT team that no longer meets the requirements in this section or that fails to meet the clinical quality standards or administrative standards provided by the commissioner in the application and certification process. The decertification is subject to appeal to the state.

(d) A provider entity must specify in the provider entity's application what geographic area and populations will be served by the proposed program. A provider entity must document that the capacity or program specialties of existing programs are not sufficient to meet the service needs of the target population. A provider entity must submit evidence of ongoing relationships with other providers and levels of care to facilitate referrals to and from the proposed program.

(e) A provider entity must submit documentation that the provider entity requested a statement of need from each county board and tribal authority that serves as a local mental health authority in the proposed service area. The statement of need must specify if the local mental health authority supports or does not support the need for the proposed program and the basis for this determination. If a local mental health authority does not respond within 60 days of the receipt of the request, the commissioner shall determine the need for the program based on the documentation submitted by the provider entity.

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

Sec. 22. Minnesota Statutes 2016, section 256B.0622, subdivision 4, is amended to read:

**Subd. 4. Provider entity licensure and contract requirements for intensive residential treatment services.** (a) The intensive residential treatment services provider entity must:

- (1) be licensed under Minnesota Rules, parts 9520.0500 to 9520.0670;
- (2) not exceed 16 beds per site; and
- (3) comply with the additional standards in this section; ~~and~~
- ~~(4) have a contract with the host county to provide these services.~~

(b) The commissioner shall develop procedures for counties and providers to submit ~~contracts and other~~ documentation as needed to allow the commissioner to determine whether the standards in this section are met.

(c) A provider entity must specify in the provider entity's application what geographic area and populations will be served by the proposed program. A provider entity must document that the capacity or program specialties of existing programs are not sufficient to meet the service needs of the target population. A provider entity must submit evidence of ongoing relationships with other providers and levels of care to facilitate referrals to and from the proposed program.

(d) A provider entity must submit documentation that the provider entity requested a statement of need from each county board and tribal authority that serves as a local mental health authority in the proposed service area. The statement of need must specify if the local mental health authority supports or does not support the need for the proposed program and the basis for this determination.

If a local mental health authority does not respond within 60 days of the receipt of the request, the commissioner shall determine the need for the program based on the documentation submitted by the provider entity.

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

Page 110, line 30, delete "(a) to (i)" and insert "(b) to (j)"

Page 111, line 13, delete "section" and insert "sections 256B.0913, subdivision 7, 256B.0915, subdivision 1a,"

Page 111, line 20, delete "and"

Page 111, line 23, delete the period and insert "; and"

Page 111, after line 23, insert:

"(5) for services under section 245D.03, subdivision 1, paragraph (c), clause (3), entries into the record under this subdivision shall occur at least monthly."

Page 111, line 25, delete "(a) to (d) and (f)" and insert "(b) to (e) and (g)"

Page 112, line 8, delete "(a) to (d)" and insert "(b) to (e)"

Page 112, line 20, delete "(a) to (e)" and insert "(b) to (f)"

Page 113, line 10, delete "the day following final enactment" and insert "August 1, 2017"

Page 121, line 23, delete ", based on the resident's" and insert a semicolon

Page 121, delete line 24

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 1353:** A bill for an act relating to health occupations; establishing requirements for the practice of telemedicine; proposing coding for new law in Minnesota Statutes, chapter 147.

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

Page 1, line 13, after "audio" insert a comma

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

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

**S.F. No. 1844:** A bill for an act relating to health and human services; adding advanced practice registered nurses and physician assistants to certain statutes; amending Minnesota Statutes 2016, sections 62Q.56, subdivision 1a; 144.213, subdivision 1; 144.441, subdivision 3; 145.7131; 145.867, subdivision 2; 252A.21, subdivision 2; 256.9365, subdivision 2; 256B.056, subdivision 2; 256B.057, subdivision 9; 256B.0575, subdivision 1; 256B.0625, subdivision 2; 256B.0653, subdivision 4; 256B.15, subdivision 1a; 256D.44, subdivisions 4, 5; 256R.04, subdivision 6; 514.981, subdivision 2; 626.556, subdivision 11d.

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

Page 8, delete section 10

Page 9, delete section 11

Page 16, delete section 16

Page 18, delete lines 30 and 31 and insert:

"Minnesota Rules, part 4601.1800, shall be modified to read as follows until the commissioner of health can revise the rule under Minnesota Statutes, chapter 14:"

Page 19, after line 11, insert:

"**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to Minnesota Rules, part 4601.1800, until the commissioner modifies it. This change does not affect the commissioner's rulemaking authority to modify the rule as conditions change or circumstances indicate."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 1958:** A bill for an act relating to human services; establishing a study on use of acupuncture for pain relief to reduce opioid prescriptions; requiring a report; appropriating money.

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

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 1829:** A bill for an act relating to education; modifying the procedures for dissolution and attachment of school districts; authorizing the Eagle Valley School District to issue bonds for its reorganization operating debt; providing for transition aid for districts attaching territory of the Eagle Valley School District; amending Minnesota Statutes 2016, section 123A.73, subdivision 2; repealing Minnesota Statutes 2016, section 123A.73, subdivision 3.

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

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 1475:** A bill for an act relating to education; creating financial incentives for school districts to help students and families understand state standards and encourage MCA and MTAS testing participation; amending Minnesota Statutes 2016, sections 120B.31, subdivision 4a; 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 1756:** A bill for an act relating to education; modifying alternative teacher preparation program requirements; establishing an alternative teacher preparation grant program; requiring a report; appropriating money; amending Minnesota Statutes 2016, section 122A.245; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Page 1, delete section 1 and insert:

**"Section 1. [122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.**

**Subdivision 1. Definitions. (a) "Provider" or "unit" means an eligible entity that seeks or has obtained approval for an alternative teacher preparation program consistent with this section.**

**(b) "Program" means content provided by a provider that leads toward licensure in a specific content area.**

**Subd. 2. Purpose. To provide alternative pathways towards Minnesota teacher licensure outside of the traditional means, improve ethnic and cultural diversity in the classroom, and to close the achievement gap, the Professional Educator Licensing and Standards Board must approve qualified teacher preparation providers and programs under this section that are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a Tier 3 license under section 122A.181.**

Subd. 3. **Eligibility.** A school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose is eligible to participate under this section. An eligible entity may apply for provider and program approval simultaneously.

Subd. 4. **Provider approval.** An eligible entity must be approved as a provider before being approved to provide programs towards licensure. The Professional Educator Licensing and Standards Board must approve eligible entities under subdivision 3 that meet the following requirements:

(1) has evidence and history of fiscal solvency, capacity, and operation;

(2) has evidence of necessary infrastructure to provide accurate, timely, and secure data for the purposes of admission, candidate monitoring, testing, background checks, and license recommendations;

(3) has policies and procedures in place ensuring the security of candidate records under the federal Family Educational Rights and Privacy Act;

(4) has the instructional capacity or ability to obtain the instructional capacity to provide an adequate instructional phase under subdivision 5; and

(5) meets all other board-adopted rules for teacher preparation providers.

Subd. 5. **Program approval.** The board must approve programs offered by approved providers based on nontraditional criteria. An approved program must have the following characteristics:

(1) an instructional phase that provides intensive preparation and observed classroom experience that is commensurate with the scope of licensure standards defined under rule, before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) a strategy to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) provide assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program, and to support efforts to successfully complete the program;

(5) provide intensive and ongoing professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, mentoring and peer review, focused on standards of professional practice and continuous professional growth; and

(6) a process to review a candidate's final proficiency of required licensure content standards that leads to potential candidate recommendation by the provider to the board for a Tier 3 teaching license under subdivision 8.



Subd. 6. **Nontraditional means; program instructors.** (a) The board must permit alternative teacher preparation providers and teacher candidates to demonstrate pedagogy and content standard proficiency in school-based programs and through other nontraditional means. Nontraditional means may include previous work experiences, teaching experiences, educator evaluations, industry-recognized certifications, and other essentially equivalent demonstrations.

(b) The board must use nontraditional criteria to determine qualifications of program instructors, including permitting instructors to hold a baccalaureate degree only.

Subd. 7. **Program disapproval, suspension.** If the board determines that a teacher preparation provider or licensure program fails to meet or is deficient in any of the requirements of subdivision 5, it may suspend or revoke the approval of the provider or program after it notifies the provider of the deficiencies and gives the provider an opportunity to remedy the deficiencies.

Subd. 8. **Candidate program completion; teacher licensure.** (a) The board must issue a Tier 3 license to candidates who successfully complete a licensure program with a recommendation from an approved alternative teacher preparation provider.

(b) The board must issue a Tier 4 license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, obtains qualifying scores on applicable board-adopted licensure exams under section 122A.09 and is recommended for licensure under paragraph (a), or successfully demonstrates to the board qualifications for licensure under this paragraph.

(c) A person who successfully completes another state's alternative teacher preparation licensure program may apply to the Professional Educator Licensing and Standards Board for a Tier 3 license.

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year."

Page 5, delete lines 5 to 7

Page 7, after line 6, insert:

"Sec. 4. **REPEALER.**

Minnesota Statutes 2016, section 122A.245, is repealed."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on E-12 Finance. Amendments adopted. Report adopted.

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 1474:** A bill for an act relating to education; authorizing school districts and charter schools to create innovation zones; establishing a grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Page 2, after line 23, insert:

"(1) how the plan will improve student and school outcomes consistent with the world's best workforce requirements under section 120B.11;"

Page 2, line 24, delete "(1)" and insert "(2)"

Page 2, line 25, delete "(2)" and insert "(3)"

Page 2, line 26, delete "(3)" and insert "(4)"

Page 2, line 28, delete "(4)" and insert "(5)"

Page 2, line 29, delete "(5)" and insert "(6)"

Page 3, line 20, before the colon, insert ", none of which may be construed as exempting an innovation zone partner from the Minnesota Comprehensive Assessments"

Page 3, delete lines 25 to 27

Page 3, line 28, delete "(4)" and insert "(3)"

Page 3, line 29, delete "(5)" and insert "(4)"

Page 3, line 32, delete "(6)" and insert "(5)" and delete "section" and insert "sections" and before "for" insert "and 120B.024"

Page 4, line 3, delete "(7)" and insert "(6)"

Page 4, line 6, delete "(8)" and insert "(7)"

Page 4, line 8, delete "(9)" and insert "(8)"

Page 4, line 9, before "graduation" insert "competencies required for" and delete "standards"

Page 4, line 11, delete "(10)" and insert "(9)"

Page 5, line 30, delete everything after the period and insert "If an innovation zone partnership fails to implement its innovation zone plan as described in its application and according to the stated

timeline, upon recommendation of the Innovation Zone Advisory Panel, the commissioner must alert the partnership members and provide the opportunity to remediate. If implementation continues to fail, the commissioner must suspend or terminate the innovation zone plan."

Page 5, delete lines 31 to 33

And when so amended the bill do pass and be re-referred to the Committee on E-12 Finance. Amendments adopted. Report adopted.

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

**S.F. No. 1354:** A bill for an act relating to local government; amending provisions relating to police and firefighters' civil service commissions and employees of police and fire departments; amending Minnesota Statutes 2016, sections 420.03; 420.04; 420.16.

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

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

**S.F. No. 816:** A bill for an act relating to state government; appropriating money for taxpayer assistance grants.

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

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

**S.F. No. 730:** A bill for an act relating to health; establishing an opiate stewardship program; appropriating money; requiring a report; amending Minnesota Statutes 2016, sections 151.065, by adding a subdivision; 151.252, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 151.

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

Page 3, delete section 3 and insert:

"Sec. 3. **[151.255] OPIATE PRODUCT STEWARDSHIP.**

Subdivision 1. **Establishment of the advisory council.** (a) The Opiate Product Stewardship Advisory Council is established to confront the opioid addiction and overdose epidemic in this state and focus on:

(1) prevention and education, including public education and awareness for adults and youth, prescriber education, and the development and sustainability of opioid overdose prevention programs;

(2) a continuum of care for opioid-related substance use disorders that expands and enhances all modalities of treatment from detox to sober housing; and

(3) services to ensure overdose prevention as well as public safety and community well-being, including expanding access to naloxone and providing social services to families affected by the opioid overdose epidemic.

(b) The council shall:

(1) review local, state, and federal initiatives and activities related to education, prevention, and services for individuals and families experiencing and affected by opioid abuse;

(2) establish priorities and actions to address the state's opioid epidemic for the purpose of allocating funds;

(3) ensure optimal allocation of available funding and alignment of existing state and federal funding to achieve the greatest impact and ensure a coordinated state effort;

(4) develop criteria and procedures to be used in awarding grants and allocating available funds from the opiate stewardship account; and

(5) develop measurable outcomes to determine the effectiveness of the funds allocated under this section.

(c) The council shall make recommendations on possible grant and funding options for the funds annually appropriated to the commissioner of human services from the opiate stewardship account. The options for funding may include prescriber education, the development and sustainability of prevention programs, the creation of a continuum of care for opioid-related substance abuse disorders from detox to sober houses, and additional funding for child protection case management services for children and families affected by opioid addiction.

(d) The council shall submit recommendations for possible funding options to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance by March 1 of each year beginning March 1, 2019.

Subd. 2. **Membership.** (a) The council shall consist of 18 members appointed by the commissioner of human services, except as otherwise specified:

(1) two 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;

(2) two members of 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;

(3) one member appointed by the Board of Pharmacy;

(4) one member appointed by the Minnesota chapter of the American College of Emergency Physicians who is a medical doctor;

- (5) one member representing opioid treatment facilities or sober living facilities;
- (6) one member who is a medical doctor appointed by the Minnesota Hospital Association;
- (7) one member who is a medical doctor appointed by the Minnesota Society of Addiction Medicine;
- (8) one member representing a pain psychologist;
- (9) one member appointed by the Steve Rummeler Hope Network;
- (10) one member appointed by the Minnesota Ambulance Association;
- (11) one member representing the Minnesota courts who is a judge or law enforcement officer;
- (12) one public member who is a Minnesota resident and who has been impacted by the opioid epidemic;
- (13) one member representing a manufacturer of opiates;
- (14) one member representing an Indian tribe;
- (15) the commissioner of human services or designee; and
- (16) the commissioner of health or designee.

(b) Except for section 15.059, subdivisions 2 and 3, section 15.059 shall apply to the public members of the council and all the council member appointments, except those members who are commissioners or their designees or legislators. The members of the council shall receive no compensation other than reimbursement for expenses. Notwithstanding section 15.059, subdivision 6, the council shall not expire. The commissioner of human services shall designate eight of the public members to serve terms that are coterminous with the governor and eight public members to serve terms that end on the first Monday in January one year after the terms of the other members. Legislators serve until a replacement is appointed.

(c) The chair must convene the council at least quarterly, and may convene other meetings as deemed necessary.

(d) The commissioner of human services shall provide staff for administrative services for the advisory council.

(e) The council shall be subject to chapter 13D.

Subd. 3. **Dedicated account.** (a) The opiate stewardship account is created in the special revenue fund in the state treasury. The fees collected by the Board of Pharmacy under section 151.065, subdivision 3a, shall be deposited in the account.

(b) In fiscal year 2018, money in the account is appropriated to the commissioner of human services to be allocated in accordance with section 4.

(c) Beginning July 1, 2019, and each fiscal year thereafter, money in the account shall be appropriated to the commissioner of human services to be awarded as grants as determined appropriate to address the opioid epidemic in the state."

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

**S.F. No. 1088:** A bill for an act relating to energy; establishing a stakeholder group to develop recommendations for consumer protections relating to residential PACE financing; suspending authorization for residential PACE financing; requiring a report; amending Minnesota Statutes 2016, section 216C.435, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 216C.435, is amended by adding a subdivision to read:

Subd. 7a. **Multifamily residential dwelling.** "Multifamily residential dwelling" means a residential dwelling containing five or more units intended for use as a residence by tenants or lessees of the owner.

**Sec. 2. RESIDENTIAL PACE CONSUMER PROTECTION LEGISLATION TASK FORCE PROGRAMS.**

Subdivision 1. **Establishment.** The Residential PACE Consumer Protection Legislation Task Force shall develop recommendations for consumer protection legislation for any energy improvements financing program implemented under Minnesota Statutes, sections 216C.435 to 216C.436, for single-family residential dwellings. For purposes of this section, "residential PACE" or "PACE" means energy improvement financing programs for single-family residential dwellings authorized under Minnesota Statutes, sections 216C.435 to 216C.436.

Subd. 2. **Task force.** (a) The task force consists of 16 members as follows:

- (1) one member appointed by the Minnesota Association of Realtors;
- (2) one member appointed by the Center for Energy and Environment;
- (3) one member appointed by the Minnesota Bankers Association;
- (4) one member appointed by the Legal Services Advocacy Project;
- (5) one member appointed by the Minnesota Credit Union Network;

- (6) one member appointed by the Minnesota Solar Energy Industry Association;
  - (7) one member appointed by the St. Paul Port Authority;
  - (8) one member appointed by the League of Minnesota Cities;
  - (9) one member appointed by the Association of Minnesota Counties;
  - (10) one member appointed by AARP Minnesota;
  - (11) one member appointed by Fresh Energy;
  - (12) one member appointed by the Citizens Utility Board of Minnesota;
  - (13) one member appointed by Clean Energy Economy Minnesota;
  - (14) one member appointed by the Minnesota Land Title Association;
  - (15) one member appointed by an organization with experience implementing residential PACE programs in other states; and
  - (16) the commissioner of commerce or a designee.
- (b) Any public member can designate a substitute from the same organization to replace that member at a meeting of the task force.

Subd. 3. **Duties.** The task force must develop recommendations to:

- (1) address concerns regarding the possible constraints on free alienation of residential property caused by existence and amount of the PACE liens;
- (2) reduce and minimize any point-of-sale confusion in transactions involving PACE-encumbered homes;
- (3) ensure conspicuous and meaningful disclosure of, among other things:
  - (i) all costs and fees of a residential PACE loan; and
  - (ii) the risks, such as foreclosure and higher costs, that may be associated with residential PACE loans relative to other financing mechanisms;
- (4) ensure that the ability to repay standard uses commonly accepted underwriting principles;
- (5) ensure that consumer provisions required of and protections that apply to conventional loans and other financing options, including but not limited to the Truth in Lending Act and the Real Estate Settlement Procedures Act, are required of and apply to PACE financing;
- (6) address any unique protections necessary for elderly, low-income homeowners and other financially vulnerable homeowners;

(7) establish criteria for ensuring the cost-effectiveness of PACE-enabled clean energy improvements; and

(8) address any other issues the task force identifies that are necessary to protect consumers.

Subd. 4. **Administrative support.** The commissioner of commerce shall provide administrative support and meeting space for the task force.

Subd. 5. **Compensation.** Members serve without compensation and shall not be reimbursed for expenses.

Subd. 6. **Chair.** The commissioner of commerce or the commissioner's designee shall serve as chair.

Subd. 7. **Meetings.** The task force shall meet regularly, at the call of the chair. Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

Subd. 8. **Appointments; first meeting.** Appointments must be made by June 1, 2017. The commissioner of commerce must convene the first meeting by July 15, 2017.

Subd. 9. **Report to legislature.** By January 15, 2018, the commissioner shall submit a report detailing the task force's findings and recommendations to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over energy and consumer protection policy and finance. The report must include any draft legislation necessary to implement the recommendations of the task force.

Subd. 10. **Suspension of residential PACE.** Until legislation is enacted establishing consumer protections that addresses, but is not limited to, the concerns identified in subdivision 3, no programs for the financing of energy improvements on a single-family residential property dwelling under Minnesota Statutes, sections 216C.435 to 216C.436, may be operated after the effective date of this section.

Subd. 11. **Expiration.** The task force shall expire January 15, 2018, or after submitting the report required in this section, whichever is earlier.

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

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

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 1222:** A bill for an act relating to education; providing for prekindergarten through grade 12 education, including general education, education excellence, teachers, special education, self-sufficiency and lifelong learning, and libraries; amending Minnesota Statutes 2016, sections 120B.021, subdivisions 1, 3; 120B.022, subdivision 1b; 120B.12; 120B.30, subdivision 1a; 121A.22, subdivision 2; 121A.221; 123B.92, subdivision 1; 124D.09, subdivisions 3, 5, 13, by adding a subdivision; 124D.095, subdivision 3; 124D.52, subdivision 7; 124E.02; 124E.03, subdivision 2; 124E.05, subdivision 7; 124E.06, subdivisions 3, 7; 124E.10, subdivision 5; 124E.11; 124E.12,



subdivision 1; 124E.16, by adding a subdivision; 125A.0941; 125A.515; 127A.41, subdivision 3; 127A.45, subdivision 10; 134.31, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, section 124D.73, subdivision 2.

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

Delete everything after the enacting clause and insert:

## "ARTICLE 1

### GENERAL EDUCATION

Section 1. Minnesota Statutes 2016, section 120A.22, is amended by adding a subdivision to read:

Subd. 14. **Attending courses at a nonpublic school.** (a) A 9th, 10th, 11th, or 12th grade student enrolled in a public school may attend courses at a nonpublic school as defined in subdivision 4 at the student's expense for up to one-third of the minimum hours required under section 120A.41.

(b) A district or school may grant academic credit to a pupil attending a nonsectarian course at a nonpublic school for secondary credit pursuant to this subdivision if the pupil successfully completes the course.

(c) The secondary credits granted to a pupil may be counted toward the graduation requirements and subject area requirements of the school or district. Evidence of successful completion of each course and secondary credits granted may be included in the pupil's secondary school record. A pupil shall provide the school with a copy of the pupil's grade in each course taken for secondary credit under this subdivision.

(d) Written notice of attendance in a course at a nonpublic school under this subdivision must be provided to the pupil's school or district no later than 60 days before the first day of the nonpublic school course.

(e) A pupil attending a course under this subdivision is ineligible for nonpublic pupil aid under section 123B.42. A pupil attending a course under this subdivision shall continue to generate average daily membership for the enrolling public school.

(f) Students who enroll in a course pursuant to this subdivision shall lose no rights, privileges, or access to services from the district.

Sec. 2. Minnesota Statutes 2016, section 121A.22, subdivision 2, is amended to read:

Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that are:

- (1) purchased without a prescription;
- (2) used by a pupil who is 18 years old or older;

(3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;

(4) used in situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;

(5) used off the school grounds;

(6) used in connection with athletics or extra curricular activities;

(7) used in connection with activities that occur before or after the regular school day;

(8) provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12;

(9) prescription asthma or reactive airway disease medications self-administered by a pupil with an asthma inhaler, consistent with section 121A.221, if the district has received a written authorization from the pupil's parent permitting the pupil to self-administer the medication, the inhaler is properly labeled for that student, and the parent has not requested school personnel to administer the medication to the pupil. The parent must submit written authorization for the pupil to self-administer the medication each school year; or

(10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that (i) the pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and requires immediate access to epinephrine auto-injectors that the parent provides properly labeled to the school for the pupil as needed.

Sec. 3. Minnesota Statutes 2016, section 121A.221, is amended to read:

**121A.221 POSSESSION AND USE OF ASTHMA INHALERS BY ASTHMATIC STUDENTS.**

(a) Consistent with section 121A.22, subdivision 2, clause (9), in a school district that employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

(b) Consistent with section 121A.22, subdivision 2, clause (9), in a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional that documents an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

Sec. 4. Minnesota Statutes 2016, section 123B.52, subdivision 1, is amended to read:

Subdivision 1. **Contracts.** A contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws and information systems software, or for the construction or repair of school houses, the estimated cost or value of which shall exceed that specified in section 471.345, subdivision 3, must not be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. This notice must state the time and place of receiving bids and contain a brief description of the subject matter.

Additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract for which a call for bids has been issued must be awarded to the lowest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law. The person to whom the contract is awarded shall give a sufficient bond to the board for its faithful performance. Notwithstanding section 574.26 or any other law to the contrary, on a contract limited to the purchase of a finished tangible product, a board may require, at its discretion, a performance bond of a contractor in the amount the board considers necessary. A record must be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid must be rejected unless the alteration or erasure is corrected as provided in this section. An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district must be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts must not exceed two years with an option on the part of the district to renew for an additional two years, except as provided in subdivision 7. Contracts for the purchase of perishable food items, except milk for school lunches and vocational training programs, in any amount may be made by direct negotiation by obtaining two or more written quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt.

Every contract made without compliance with the provisions of this section shall be void. Except in the case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

**EFFECTIVE DATE.** This section is effective for contracts entered into on or after July 1, 2017.

Sec. 5. Minnesota Statutes 2016, section 123B.52, is amended by adding a subdivision to read:

**Subd. 7. Food service contracts.** A contract between a school board and a food service management company that complies with Code of Federal Regulations, title 7, section 210.16, may be renewed annually after its initial term for not more than four additional years.

**EFFECTIVE DATE.** This section is effective for contracts entered into on or after July 1, 2017.

Sec. 6. **[123B.651] ENERGY USE REDUCTION AND REPORTING FOR PUBLIC SCHOOLS.**

Beginning October 1, 2017, each public school or school district reporting on behalf of a public school must enter and maintain monthly utility consumption data into the Minnesota B3 benchmarking program for all buildings under its custodial control.

Sec. 7. Minnesota Statutes 2016, section 123B.92, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the terms defined in this subdivision have the meanings given to them.

(a) "Actual expenditure per pupil transported in the regular and excess transportation categories" means the quotient obtained by dividing:

(1) the sum of:

(i) all expenditures for transportation in the regular category, as defined in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

(ii) an amount equal to one year's depreciation on the district's school bus fleet and mobile units computed on a straight line basis at the rate of 15 percent per year for districts operating a program under section 124D.128 for grades 1 to 12 for all students in the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

(iii) an amount equal to one year's depreciation on the district's type III vehicles, as defined in section 169.011, subdivision 71, which must be used a majority of the time for pupil transportation purposes, computed on a straight line basis at the rate of 20 percent per year of the cost of the type three school buses by:

(2) the number of pupils eligible for transportation in the regular category, as defined in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

(b) "Transportation category" means a category of transportation service provided to pupils as follows:

(1) Regular transportation is:

(i) transportation to and from school during the regular school year for resident elementary pupils residing one mile or more from the public or nonpublic school they attend, and resident secondary pupils residing two miles or more from the public or nonpublic school they attend, excluding desegregation transportation and noon kindergarten transportation; but with respect to transportation of pupils to and from nonpublic schools, only to the extent permitted by sections 123B.84 to 123B.87;

(ii) transportation of resident pupils to and from language immersion programs;

(iii) transportation of a pupil who is a custodial parent and that pupil's child between the pupil's home and the child care provider and between the provider and the school, if the home and provider are within the attendance area of the school;

(iv) transportation to and from or board and lodging in another district, of resident pupils of a district without a secondary school; and

(v) transportation to and from school during the regular school year required under subdivision 3 for nonresident elementary pupils when the distance from the attendance area border to the public school is one mile or more, and for nonresident secondary pupils when the distance from the attendance area border to the public school is two miles or more, excluding desegregation transportation and noon kindergarten transportation.

For the purposes of this paragraph, a district may designate a licensed day care facility, school day care facility, respite care facility, the residence of a relative, or the residence of a person or other location chosen by the pupil's parent or guardian, or an after-school program for children operated by a political subdivision of the state, as the home of a pupil for part or all of the day, if requested by the pupil's parent or guardian, and if that facility, residence, or program is within the attendance area of the school the pupil attends.

(2) Excess transportation is:

(i) transportation to and from school during the regular school year for resident secondary pupils residing at least one mile but less than two miles from the public or nonpublic school they attend, and transportation to and from school for resident pupils residing less than one mile from school who are transported because of full-service school zones, extraordinary traffic, drug, or crime hazards; and

(ii) transportation to and from school during the regular school year required under subdivision 3 for nonresident secondary pupils when the distance from the attendance area border to the school is at least one mile but less than two miles from the public school they attend, and for nonresident pupils when the distance from the attendance area border to the school is less than one mile from the school and who are transported because of full-service school zones, extraordinary traffic, drug, or crime hazards.

(3) Desegregation transportation is transportation within and outside of the district during the regular school year of pupils to and from schools located outside their normal attendance areas under a plan for desegregation mandated by the commissioner or under court order.

(4) "Transportation services for pupils with disabilities" is:

(i) transportation of pupils with disabilities who cannot be transported on a regular school bus between home or a respite care facility and school;

(ii) necessary transportation of pupils with disabilities from home or from school to other buildings, including centers such as developmental achievement centers, hospitals, and treatment centers where special instruction or services required by sections 125A.03 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district where services are provided;

(iii) necessary transportation for resident pupils with disabilities required by sections 125A.12, and 125A.26 to 125A.48;

(iv) board and lodging for pupils with disabilities in a district maintaining special classes;

(v) transportation from one educational facility to another within the district for resident pupils enrolled on a shared-time basis in educational programs, and necessary transportation required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils with disabilities who are provided special instruction and services on a shared-time basis or if resident pupils are not transported, the costs of necessary travel between public and private schools or neutral instructional sites by essential personnel employed by the district's program for children with a disability;

(vi) transportation for resident pupils with disabilities to and from board and lodging facilities when the pupil is boarded and lodged for educational purposes;

(vii) transportation of pupils for a curricular field trip activity on a school bus equipped with a power lift when the power lift is required by a student's disability or section 504 plan; and

(viii) services described in clauses (i) to (vii), when provided for pupils with disabilities in conjunction with a summer instructional program that relates to the pupil's individualized education program or in conjunction with a learning year program established under section 124D.128.

For purposes of computing special education initial aid under section 125A.76, the cost of providing transportation for children with disabilities includes (A) the additional cost of transporting a student in a shelter care facility as defined in section 260C.007, subdivision 30, a homeless student ~~from a temporary nonshelter home~~ in another district to the school of origin, or a formerly homeless student from a permanent home in another district to the school of origin but only through the end of the academic year; and (B) depreciation on district-owned school buses purchased after July 1, 2005, and used primarily for transportation of pupils with disabilities, calculated according to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled transportation category must be excluded in calculating the actual expenditure per pupil transported in the regular and excess transportation categories according to paragraph (a). For purposes of subitem (A), a school district may transport a child who does not have a school of origin to the same school attended by that child's sibling, if the siblings are homeless or in a shelter care facility.

(5) "Nonpublic nonregular transportation" is:

(i) transportation from one educational facility to another within the district for resident pupils enrolled on a shared-time basis in educational programs, excluding transportation for nonpublic pupils with disabilities under clause (4);

(ii) transportation within district boundaries between a nonpublic school and a public school or a neutral site for nonpublic school pupils who are provided pupil support services pursuant to section 123B.44; and

(iii) late transportation home from school or between schools within a district for nonpublic school pupils involved in after-school activities.

(c) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational programs and services, including diagnostic testing, guidance and counseling services, and health services. A mobile unit located off nonpublic school premises is a neutral site as defined in section 123B.41, subdivision 13.

**EFFECTIVE DATE.** This section is effective retroactively from December 10, 2016.

Sec. 8. Minnesota Statutes 2016, section 126C.17, subdivision 9, is amended to read:

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

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

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

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

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

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

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

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

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

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

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



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

Sec. 9. Minnesota Statutes 2016, section 127A.45, subdivision 10, is amended to read:

Subd. 10. **Payments to school nonoperating funds.** Each fiscal year state general fund payments for a district nonoperating fund must be made at the current year aid payment percentage of the estimated entitlement during the fiscal year of the entitlement. This amount shall be paid in ~~12~~ six equal monthly installments from July through December. The amount of the actual entitlement, after adjustment for actual data, minus the payments made during the fiscal year of the entitlement must be paid prior to October 31 of the following school year. The commissioner may make advance payments of debt service equalization aid and state-paid tax credits for a district's debt service fund earlier than would occur under the preceding schedule if the district submits evidence showing a serious cash flow problem in the fund. The commissioner may make earlier payments during the year and, if necessary, increase the percent of the entitlement paid to reduce the cash flow problem.

Sec. 10. **REPEALER.**

Minnesota Statutes 2016, section 124D.73, subdivision 2, is repealed.

## ARTICLE 2

### EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2016, section 120B.021, subdivision 1, is amended to read:

Subdivision 1. **Required academic standards.** (a) The following subject areas are required for statewide accountability:

- (1) language arts;
- (2) mathematics;
- (3) science;
- (4) social studies, including history, geography, economics, and government and citizenship that includes civics consistent with section 120B.02, subdivision 3;
- (5) physical education;
- (6) health, for which locally developed academic standards apply; and
- (7) the arts, for which statewide or locally developed academic standards apply, as determined by the school district. Public elementary and middle schools must offer at least three and require at least two of the following four arts areas: dance; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

(b) For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive

or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

(c) Beginning in the 2016-2017 school year, the department must adopt the most recent ~~National Association of Sport and Physical Education~~ SHAPE America (Society of Health and Physical Educators) kindergarten through grade 12 standards and benchmarks for physical education as the required physical education academic standards. The department may modify and adapt the national standards to accommodate state interest. The modification and adaptations must maintain the purpose and integrity of the national standards. The department must make available sample assessments, which school districts may use as an alternative to local assessments, to assess students' mastery of the physical education standards beginning in the 2018-2019 school year.

(d) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.

**EFFECTIVE DATE.** This section is effective the day following final enactment and is retroactive to July 1, 2016.

Sec. 2. Minnesota Statutes 2016, section 120B.021, subdivision 3, is amended to read:

Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section and section 120B.022, must adopt statewide rules under section 14.389 for implementing statewide rigorous core academic standards in language arts, mathematics, science, social studies, physical education, and the arts. After the rules authorized under this subdivision are initially adopted, the commissioner may not amend or repeal these rules nor adopt new rules on the same topic without specific legislative authorization. ~~The academic standards for language arts, mathematics, and the arts must be implemented for all students beginning in the 2003-2004 school year. The academic standards for science and social studies must be implemented for all students beginning in the 2005-2006 school year.~~

Sec. 3. Minnesota Statutes 2016, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph (i), and close the academic achievement and opportunity gap under sections 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established to recognize high school students in any Minnesota public, charter, or nonpublic school who demonstrate an advanced-low level or an intermediate high level of functional proficiency in listening, speaking, reading, and writing on either assessments aligned with American Council on the Teaching of Foreign Languages' (ACTFL) proficiency guidelines or on equivalent valid and reliable assessments in one or more languages in addition to English. American Sign Language is a language other than English for purposes of this subdivision and a world language for purposes of subdivision 1a.

(b) In addition to paragraph (a), to be eligible to receive a seal:

(1) students must satisfactorily complete all required English language arts credits; and

(2) students must demonstrate mastery of Minnesota's English language proficiency standards.

(c) Consistent with this subdivision, a high school student who demonstrates an intermediate high ACTFL level of functional proficiency in one language in addition to English is eligible to receive the state bilingual gold seal. A high school student who demonstrates an intermediate high ACTFL level of functional native proficiency in more than one language in addition to English is eligible to receive the state multilingual gold seal. A high school student who demonstrates an advanced-low ACTFL level of functional proficiency in one language in addition to English is eligible to receive the state bilingual platinum seal. A high school student who demonstrates an advanced-low ACTFL level of functional proficiency in more than one language in addition to English is eligible to receive the state multilingual platinum seal.

(d) School districts and charter schools may give students periodic opportunities to demonstrate their level of proficiency in listening, speaking, reading, and writing in a language in addition to English. Where valid and reliable assessments are unavailable, a school district or charter school may rely on evaluators trained in assessing under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or indigenous language proficiency under this section. School districts and charter schools must maintain appropriate records to identify high school students eligible to receive the state bilingual or multilingual gold and platinum seals. The school district or charter school must affix the appropriate seal to the transcript of each high school student who meets the requirements of this subdivision and may affix the seal to the student's diploma. A school district or charter school must not charge the high school student a fee for this seal.

(e) A school district or charter school may award elective course credits in world languages to a student who demonstrates the requisite proficiency in a language other than English under this section.

(f) A school district or charter school may award community service credit to a student who demonstrates an intermediate high or advanced-low ACTFL level of functional proficiency in listening, speaking, reading, and writing in a language other than English and who participates in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or local community.

(g) The commissioner must list on the Web page those assessments that are aligned to ACTFL proficiency guidelines.

(h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges and Universities system must establish criteria to translate the seals into college credits based on the world language course equivalencies identified by the Minnesota State Colleges and Universities faculty and staff and, upon request from an enrolled student, the Minnesota State Colleges and Universities may award foreign language credits to a student who receives a Minnesota World Language Proficiency Certificate under subdivision 1a. A student who demonstrated the requisite level of language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in a Minnesota State Colleges and Universities institution must request college credits for the student's seal or proficiency certificate within three academic years after graduating from high school. The

University of Minnesota is encouraged to award students foreign language academic credits consistent with this paragraph.

Sec. 4. Minnesota Statutes 2016, section 120B.12, is amended to read:

**120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE 3.**

Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or above grade level no later than the end of grade 3, including English learners, students receiving literacy interventions under section 125A.56, and students in an approved program under section 125A.50, and that teachers provide comprehensive, scientifically based reading instruction consistent with section 122A.06, subdivision 4.

Subd. 1a. **Definitions.** (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Core reading instruction" means the curriculum, assessments, materials, and instructional practices with which all students are actively engaged to achieve and exceed proficiency standards.

(c) "Diagnostic" means assessment intended to identify students' specific areas of need related to literacy to inform instructional decisions.

(d) "Evidence-based" means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes based on strong evidence from one or more quality experimental studies, moderate evidence from one or more quasi-experimental studies, or promising evidence from one or more correlational studies with statistical controls for selection bias.

(e) "Fidelity" means the extent to which a practice, program, or strategy is implemented as designed.

(f) "Multisensory instruction" means instruction that incorporates opportunities to practice that include seeing, hearing, saying, and physically doing.

(g) "Multitiered system of supports" means a framework to improve outcomes for all students that organizes district-level resources to address each individual student's needs, such as academic or behavior needs or both, that includes: screening of all students using valid and reliable measures; tiers of instruction that vary in intensity; collaborative teams that review data, problem solve, and organize instruction; frequent progress monitoring using valid and reliable measures to determine the impact of evidence-based interventions; and a system to ensure that instruction including interventions are evidence-based and implemented with fidelity. For the purposes of this section, the multitiered system applies to the development of literacy to increase the number of students meeting proficiency standards.

(h) "Progress monitoring" means frequent assessment to examine a student's rate of progress on specific skills in order to guide decisions regarding the effectiveness of intervention programs, as well as assisting in making additional instructional decisions for a student.

(i) "Screening" means systematically assessing all students on literacy indicators for the purpose of identifying students who may require additional support and who are at risk of poor learning outcomes. Screening assessments are typically brief, conducted with all students at a grade level, and followed by additional testing or short-term progress monitoring to corroborate students' risk status.

(j) "Supplemental and intensive instruction" means instruction that increases the intensity and practice of an activity, which is accomplished primarily by increasing the instructional time, reducing the size of the group, and focusing the instruction.

(k) "Systematic and explicit instruction" means instruction that logically builds from the smallest to more complex concepts such that there is no confusion or doubt and includes specific design and delivery procedures.

Subd. 2. **Identification; report.** (a) Each school district shall identify before the end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before the end of the current school year. Reading The district must use locally adopted, developmentally appropriate, and culturally responsive screening and diagnostic assessments in English; and in the predominant languages of district students, where practicable, must to identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use a locally adopted, developmentally appropriate, and culturally responsive assessment and annually report each of the following to the commissioner by July 1:

(1) a summary of assessment results to the commissioner by July 1; and

(2) The district also must annually report a summary of the district's efforts to screen and identify students with dyslexia consistent with section 125A.01 or convergence insufficiency disorder to the commissioner by July 1.

(b) A student identified under this subdivision, including English learners, students with identified reading disorders, and students with disabilities, must be provided with alternate instruction under section 125A.56, subdivision 1 additional evidence-based literacy practices such as through a system of multitiered supports or specially designed instructional services as identified in an individualized education program.

Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give the parent of each student who is not reading at or above grade level timely information about:

(1) the student's reading proficiency as measured by a locally adopted assessment;

(2) reading-related services currently being provided to the student and the student's progress;  
and

(3) strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.

A district may not use this section to deny a student's right to a special education evaluation.

Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district shall provide reading intervention, such as through a multitiered system of supports, to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year consistent with sections 125A.50 and 125A.56, subdivision 2. Reading instruction and interventions must be appropriate to the specific needs of English learners.

(b) District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs.

(c) Intervention methods delivery options may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, specially designed instruction for students who qualify for special education services, extended-day programs, or programs that strengthen students' cultural connections.

(d) Intervention methods matched to the needs, stage of development, and culture of the students engaging with the instruction must include, but are not limited to:

- (1) evidence-based practices delivered with fidelity;
- (2) systematic, explicit, multisensory instruction with sufficient practice;
- (3) provision of timely error correction and positive feedback to students;
- (4) use of progress monitoring data for decision making; and
- (5) supplemental and intensive instruction.

(e) A student, other than a student under an individualized education program (IEP), who is unable to demonstrate grade-level proficiency as measured by the statewide reading assessment in grade 3 shall receive a personal learning plan in a format determined by the school or school district in consultation with classroom teachers, and developed and updated as needed in consultation, to the extent practicable, with the student and the student's parents by the classroom teachers and other qualified school professionals involved with the student's elementary school progress. A personal learning plan shall address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, periodic assessments and timelines, and may include grade retention, if necessary, to meet the student's best interests. Intervention must continue after grade 3 until the student is reading at grade level.

Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to identify the staff development needs so that:

(1) elementary teachers are able to implement comprehensive, scientifically based reading and oral language instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and other literacy-related areas including writing until the student achieves grade-level reading proficiency;

(2) elementary teachers have sufficient training to provide comprehensive, scientifically based reading and oral language instruction that meets students' developmental, linguistic, and literacy needs using the intervention methods or programs selected by the district for the identified students;

(3) licensed teachers employed by the district have regular opportunities to improve reading and writing instruction;

(4) licensed teachers recognize students' diverse needs in cross-cultural settings and are able to serve the oral language and linguistic needs of students who are English learners by maximizing strengths in their native languages in order to cultivate students' English language development, including oral academic language development, and build academic literacy; and

(5) licensed teachers are well trained in culturally responsive pedagogy that enables students to master content, develop skills to access content, and build relationships.

Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners. The plan must be consistent with section 122A.06, subdivision 4, and include the following:

(1) a process to assess students' level of reading proficiency and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency;

(2) a process to notify and involve parents;

(3) a description of how schools in the district will determine the proper reading intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

(4) evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention; and

(5) identification of staff development needs, including a program to meet those needs.

(b) The district must post its literacy plan on the official school district Web site.

Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple assessment tools to assist districts and teachers with identifying students under subdivision 2. The commissioner shall also make available examples of nationally recognized and research-based instructional methods or programs to districts to provide comprehensive, scientifically based reading instruction and intervention under this section.

**EFFECTIVE DATE.** This section is effective for fiscal year 2018 and later.

Sec. 5. Minnesota Statutes 2016, section 120B.125, is amended to read:

**120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING PLANS.**

(a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning in the 2013-2014 school year, must assist all students by no later than grade 9 to explore their educational, college, and career interests, aptitudes, and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment. All students' plans must:

(1) provide a comprehensive plan to prepare for and complete a career and college ready curriculum by meeting state and local academic standards and developing career and employment-related skills such as team work, collaboration, creativity, communication, critical thinking, and good work habits;

(2) emphasize academic rigor and high expectations and inform the student and their parent or guardian, if the student is a minor, of the student's achievement level score on the Minnesota Comprehensive Assessments that are administered during high school;

(3) help students identify interests, aptitudes, aspirations, and personal learning styles that may affect their career and college ready goals and postsecondary education and employment choices;

(4) set appropriate career and college ready goals with timelines that identify effective means for achieving those goals;

(5) help students access education and career options;

(6) integrate strong academic content into career-focused courses and applied and experiential learning opportunities and integrate relevant career-focused courses and applied and experiential learning opportunities into strong academic content;

(7) help identify and access appropriate counseling and other supports and assistance that enable students to complete required coursework, prepare for postsecondary education and careers, and obtain information about postsecondary education costs and eligibility for financial aid and scholarship;

(8) help identify collaborative partnerships among prekindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and local and regional employers that support students' transition to postsecondary education and employment and provide students with applied and experiential learning opportunities; and

(9) be reviewed and revised at least annually by the student, the student's parent or guardian, and the school or district to ensure that the student's course-taking schedule keeps the student making adequate progress to meet state and local academic standards and high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education without the need to first complete remedial course work.

(b) A school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select or pursue a career, career interest, employment goals, or related job training.



(c) Educators must possess the knowledge and skills to effectively teach all English learners in their classrooms. School districts must provide appropriate curriculum, targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college ready.

(d) When assisting students in developing a plan for a smooth and successful transition to postsecondary education and employment, districts must recognize the unique possibilities of each student and ensure that the contents of each student's plan reflect the student's unique talents, skills, and abilities as the student grows, develops, and learns.

(e) If a student with a disability has an individualized education program (IEP) or standardized written plan that meets the plan components of this section, the IEP satisfies the requirement and no additional transition plan is needed.

(f) Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of section 120A.20, subdivision 1, paragraph (c). A student's plan under this section shall continue while the student is enrolled.

**EFFECTIVE DATE.** This section is effective July 1, 2017.

Sec. 6. Minnesota Statutes 2016, section 120B.30, subdivision 1a, is amended to read:

Subd. 1a. **Statewide and local assessments; results.** (a) For purposes of this section, the following definitions have the meanings given them.

(1) "Computer-adaptive assessments" means ~~fully~~ adaptive assessments.

(2) ~~"Fully adaptive assessments"~~ "Adaptive assessments" include test items that are on-grade level and items that may be above or below a student's grade level.

(3) ~~"On-grade level"~~ test items contain subject area content that is aligned to state academic standards for the grade level of the student taking the assessment.

(4) ~~"Above-grade level"~~ test items contain subject area content that is above the grade level of the student taking the assessment and is considered aligned with state academic standards to the extent it is aligned with content represented in state academic standards above the grade level of the student taking the assessment. ~~Notwithstanding the student's grade level, administering above-grade level test items to a student does not violate the requirement that state assessments must be aligned with state standards.~~

(5) ~~"Below-grade level"~~ test items contain subject area content that is below the grade level of the student taking the test and is considered aligned with state academic standards to the extent it is aligned with content represented in state academic standards below the student's current grade level. ~~Notwithstanding the student's grade level, administering below-grade level test items to a student does not violate the requirement that state assessments must be aligned with state standards.~~

(b) The commissioner must use ~~fully~~ adaptive mathematics and reading assessments for grades 3 through 8.

(c) For purposes of conforming with existing federal educational accountability requirements, the commissioner must develop and implement computer-adaptive reading and mathematics assessments for grades 3 through 8, state-developed high school reading and mathematics tests aligned with state academic standards, a high school writing test aligned with state standards when it becomes available, and science assessments under clause (2) that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must not develop statewide assessments for academic standards in social studies, health and physical education, and the arts. The commissioner must require:

(1) annual computer-adaptive reading and mathematics assessments in grades 3 through 8, and high school reading, writing, and mathematics tests; and

(2) annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the commissioner must not require students to achieve a passing score on high school science assessments as a condition of receiving a high school diploma.

(d) The commissioner must ensure that for annual computer-adaptive assessments:

(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;

(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;

(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and

(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.

(e) The commissioner must ensure that all state tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.

(f) Reporting of state assessment results must:

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include a growth indicator of student achievement; and

(3) determine whether students have met the state's academic standards.

(g) Consistent with applicable federal law, the commissioner must include appropriate, technically sound accommodations or alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for English learners.

(h) A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student progress toward career and college readiness in the context of the state's academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.

Sec. 7. Minnesota Statutes 2016, section 120B.31, is amended by adding a subdivision to read:

Subd. 3a. **Rollout sites; report.** The commissioner of education shall designate up to six school districts or charter schools as rollout sites.

(a) The rollout sites should represent urban school districts, suburban school districts, nonurban school districts, and charter schools. The commissioner shall designate rollout sites and notify the schools by August 1, 2017, and the designated school districts or charter schools will have the right to opt-out or opt-in as rollout sites by September 1, 2017.

(b) The commissioner must consult stakeholders and review the American Community Survey to develop recommendations for best practices for disaggregated data. Stakeholders consulted under this paragraph include at least:

(1) the rollout sites;

(2) parent groups; and

(3) community representatives.

(c) The commissioner shall report to the legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by February 1, 2018. The commissioner may research best practices from other states that have disaggregated data beyond the requirements of the most recent reauthorization of the Elementary and Secondary Education Act. The commissioner must consult the stakeholders on how to measure a student's background as an immigrant or a refugee and provide a recommendation in the report on how to include the data in the statewide rollout. The recommendations may address:

(1) the most meaningful use of disaggregated data, including but not limited to which reports should include further disaggregated data;

(2) collection of additional student characteristics, including but not limited to ensuring enhanced enrollment forms;

- (i) provide context and the objective of additional data;
- (ii) are designed to convey respect and acknowledgment of the sensitive nature of the additional data; and
- (iii) are designed to collect data consistent with user feedback;
- (3) efficient data-reporting approaches when reporting additional information to the department;
- (4) the frequency by which districts and schools must update enrollment forms to meet the needs of the state's changing racial and ethnic demographics; and
- (5) the criteria for determining additional data. This recommendation should include a recommendation for frequency of reviews and updates of the additional data and should also identify the approach of updating any additional census data and data on new enrollees. This recommendation must consider additional student groups that may face education disparities and must take into account maintaining student privacy and providing nonidentifiable student level data.

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

Sec. 8. Minnesota Statutes 2016, section 120B.31, subdivision 4, is amended to read:

Subd. 4. **Student performance data.** In developing policies and assessment processes to hold schools and districts accountable for high levels of academic standards under section 120B.021, the commissioner shall aggregate and disaggregate student data over time to report summary student performance and growth levels and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data measured at the school, school district, and statewide level. The commissioner shall use the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and student categories of homelessness, ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2), race under section 120B.35, subdivision 3, paragraph (a), clause (2), home language, ~~immigrant, refugee status,~~ English learners under section 124D.59, free or reduced-price lunch, and other categories designated by federal law to organize and report the data so that state and local policy makers can understand the educational implications of changes in districts' demographic profiles over time as data are available. Any report the commissioner disseminates containing summary data on student performance must integrate student performance and the demographic factors that strongly correlate with that performance.

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

Sec. 9. Minnesota Statutes 2016, section 120B.35, subdivision 3, is amended to read:

Subd. 3. **State growth target; other state measures.** (a)(1) The state's educational assessment system measuring individual students' educational growth is based on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments.

(2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and report separate categories of information using the student categories identified under the federal Elementary

and Secondary Education Act, as most recently reauthorized, and, in addition to "other" for each race and ethnicity and the Karen community, ~~other student categories as determined by the total Minnesota population at or above the 1,000-person threshold based on the most recent decennial census, including ethnicity; race; refugee status~~ seven of the most populous Asian and Pacific Islander groups, three of the most populous Native groups, seven of the most populous Hispanic/Latino groups, and five of the most populous Black and African Heritage groups as determined by the total Minnesota population based on the most recent state demographer's report; English learners under section 124D.59; home language; free or reduced-price lunch; ~~immigrant~~; and all students enrolled in a Minnesota public school who are currently or were previously in foster care, except that such disaggregation and cross tabulation is not required if the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(b) The commissioner, in consultation with a stakeholder group that includes assessment and evaluation directors, district staff, experts in culturally responsive teaching, and researchers, must implement a model that uses a value-added growth indicator and includes criteria for identifying schools and school districts that demonstrate medium and high growth under section 120B.299, subdivisions 8 and 9, and may recommend other value-added measures under section 120B.299, subdivision 3. The model may be used to advance educators' professional development and replicate programs that succeed in meeting students' diverse learning needs. Data on individual teachers generated under the model are personnel data under section 13.43. The model must allow users to:

(1) report student growth consistent with this paragraph; and

(2) for all student categories, report and compare aggregated and disaggregated state student growth and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data using the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and other student categories under paragraph (a), clause (2).

The commissioner must report measures of student growth and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph, including the English language development, academic progress, and oral academic development of English learners and their native language development if the native language is used as a language of instruction, and include data on all pupils enrolled in a Minnesota public school course or program who are currently or were previously counted as an English learner under section 124D.59.

(c) When reporting student performance under section 120B.36, subdivision 1, the commissioner annually, beginning July 1, 2011, must report two core measures indicating the extent to which current high school graduates are being prepared for postsecondary academic and career opportunities:

(1) a preparation measure indicating the number and percentage of high school graduates in the most recent school year who completed course work important to preparing them for postsecondary academic and career opportunities, consistent with the core academic subjects required for admission to Minnesota's public colleges and universities as determined by the Office of Higher Education under chapter 136A; and

(2) a rigorous coursework measure indicating the number and percentage of high school graduates in the most recent school year who successfully completed one or more college-level advanced placement, international baccalaureate, postsecondary enrollment options including concurrent enrollment, other rigorous courses of study under section 120B.021, subdivision 1a, or industry certification courses or programs.

When reporting the core measures under clauses (1) and (2), the commissioner must also analyze and report separate categories of information using the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and other student categories under paragraph (a), clause (2).

(d) When reporting student performance under section 120B.36, subdivision 1, the commissioner annually, beginning July 1, 2014, must report summary data on school safety and students' engagement and connection at school, consistent with the student categories identified under paragraph (a), clause (2). The summary data under this paragraph are separate from and must not be used for any purpose related to measuring or evaluating the performance of classroom teachers. The commissioner, in consultation with qualified experts on student engagement and connection and classroom teachers, must identify highly reliable variables that generate summary data under this paragraph. The summary data may be used at school, district, and state levels only. Any data on individuals received, collected, or created that are used to generate the summary data under this paragraph are nonpublic data under section 13.02, subdivision 9.

(e) For purposes of statewide educational accountability, the commissioner must identify and report measures that demonstrate the success of learning year program providers under sections 123A.05 and 124D.68, among other such providers, in improving students' graduation outcomes. The commissioner, beginning July 1, 2015, must annually report summary data on:

- (1) the four- and six-year graduation rates of students under this paragraph;
- (2) the percent of students under this paragraph whose progress and performance levels are meeting career and college readiness benchmarks under section 120B.30, subdivision 1; and
- (3) the success that learning year program providers experience in:
  - (i) identifying at-risk and off-track student populations by grade;
  - (ii) providing successful prevention and intervention strategies for at-risk students;
  - (iii) providing successful recuperative and recovery or reenrollment strategies for off-track students; and
  - (iv) improving the graduation outcomes of at-risk and off-track students.

The commissioner may include in the annual report summary data on other education providers serving a majority of students eligible to participate in a learning year program.

(f) The commissioner, in consultation with recognized experts with knowledge and experience in assessing the language proficiency and academic performance of all English learners enrolled in

a Minnesota public school course or program who are currently or were previously counted as an English learner under section 124D.59, must identify and report appropriate and effective measures to improve current categories of language difficulty and assessments, and monitor and report data on students' English proficiency levels, program placement, and academic language development, including oral academic language.

(g) When reporting four- and six-year graduation rates, the commissioner or school district must disaggregate the data by student categories according to paragraph (a), clause (2).

(h) A school district must inform parents and guardians that volunteering information on student categories not required by the most recent reauthorization of the Elementary and Secondary Education Act is optional and will not violate the privacy of students or their families, parents, or guardians. The notice must state the purpose for collecting the student data.

**EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later for rollout sites under Minnesota Statutes, section 120B.31, subdivision 3a. This section is effective for the 2019-2020 school year and later for all other schools.

Sec. 10. Minnesota Statutes 2016, section 124D.09, subdivision 3, is amended to read:

Subd. 3. **Definitions.** For purposes of this section, the following terms have the meanings given to them.

(a) "Eligible institution" means a Minnesota public postsecondary institution, a private, nonprofit two-year trade and technical school granting associate degrees, an opportunities industrialization center accredited by the North Central Association of Colleges and Schools, or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota.

(b) "Course" means a course or program.

(c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under subdivision 5 enrolls to earn both secondary and postsecondary credits, are taught by a secondary teacher or a postsecondary faculty member, and are offered at a high school for which the district is eligible to receive concurrent enrollment program aid under section 124D.091.

Sec. 11. Minnesota Statutes 2016, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution. ~~Notwithstanding any other law to the contrary, a 9th or 10th grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to enroll in nonsectarian courses offered under subdivision 10, if (1) the school district and the eligible postsecondary institution providing the course agree to the student's enrollment or (2) the course is~~

~~a world language course currently available to 11th and 12th grade students, and consistent with section 120B.022 governing world language standards, certificates, and seals.~~ If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner ~~within ten days of acceptance.~~ The notice must indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must notify the pupil about payment in the customary manner used by the institution.

Sec. 12. Minnesota Statutes 2016, section 124D.09, is amended by adding a subdivision to read:

Subd. 5b. **Authorization; 9th or 10th grade pupil.** Notwithstanding any other law to the contrary, a 9th or 10th grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to enroll in nonsectarian courses offered under subdivision 10, if: (1) the school district and the eligible postsecondary institution providing the course agree to the student's enrollment; or (2) the course is a world language course currently available to 11th and 12th grade students, and consistent with section 120B.022 governing world language standards, certificates, and seals.

Sec. 13. Minnesota Statutes 2016, section 124D.09, subdivision 13, is amended to read:

Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this section, the department must make payments according to this subdivision for courses that were taken for secondary credit.

The department must not make payments to a school district or postsecondary institution for a course taken for postsecondary credit only. The department must not make payments to a postsecondary institution for a course from which a student officially withdraws during the first 14 days of the quarter or semester or who has been absent from the postsecondary institution for the first 15 consecutive school days of the quarter or semester and is not receiving instruction in the home or hospital.

A postsecondary institution shall receive the following:

(1) for an institution granting quarter credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the formula allowance minus \$425, multiplied by 1.2, and divided by 45; or

(2) for an institution granting semester credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the general revenue formula allowance minus \$425, multiplied by 1.2, and divided by 30.

The department must pay to each postsecondary institution 100 percent of the amount in clause (1) or (2) ~~within 30~~ 45 days of receiving initial enrollment information each quarter or semester. If changes in enrollment occur during a quarter or semester, the change shall be reported by the postsecondary institution at the time the enrollment information for the succeeding quarter or semester



is submitted. At any time the department notifies a postsecondary institution that an overpayment has been made, the institution shall promptly remit the amount due.

Sec. 14. Minnesota Statutes 2016, section 124E.02, is amended to read:

**124E.02 DEFINITIONS.**

(a) For purposes of this chapter, the terms defined in this section have the meanings given them.

(b) "Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under section 124E.06, subdivision 4, attesting to its review and approval process before chartering a school.

(c) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person.

(d) "Control" means the ability to affect the management, operations, or policy actions or decisions of a person, whether by owning voting securities, by contract, or otherwise.

(e) "Immediate family" means an individual whose relationship by blood, marriage, adoption, or partnership is no more remote than first cousin.

(f) "Person" means an individual or entity of any kind.

(g) "Related party" means an affiliate or immediate relative of the other interested party, an affiliate of an immediate relative who is the other interested party, or an immediate relative of an affiliate who is the other interested party.

(h) "Charter management organizations" (CMO) means any nonprofit entity that contracts with a charter school board of directors to provide, manage, or oversee all or substantially all of the school's educational design or implementation, or the charter school's administrative, financial, business, or operational functions.

(i) "Education management organization" (EMO) means any for-profit entity that provides, manages, or oversees all or substantially all of the educational design or implementation, or the charter school's administrative, financial, business, or operational functions.

(j) "Online education service provider" means an organization that provides the online learning management system, virtual learning environment, or online student management system and services for the implementation and operation of the online education program.

(k) For purposes of this chapter, the terms defined in section 120A.05 have the same meanings.

Sec. 15. Minnesota Statutes 2016, section 124E.03, subdivision 2, is amended to read:

Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts.

(b) A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B.

(c) A charter school must comply with the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.

(d) A charter school is a district for the purposes of tort liability under chapter 466.

(e) A charter school must comply with the Pledge of Allegiance requirement under section 121A.11, subdivision 3.

(f) A charter school and charter school board of directors must comply with chapter 181 governing requirements for employment.

(g) A charter school must comply with continuing truant notification under section 260A.03.

(h) A charter school must develop and implement a teacher evaluation and peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and paragraph (d). The teacher evaluation process in this paragraph does not create any additional employment rights for teachers.

(i) A charter school must adopt a policy, plan, budget, and process, consistent with section 120B.11, to review curriculum, instruction, and student achievement and strive for the world's best workforce.

(j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.

Sec. 16. Minnesota Statutes 2016, section 124E.05, is amended by adding a subdivision to read:

Subd. 2a. **Role, responsibilities, and requirements of authorizers.** (a) The role of an authorizer is to ensure that the schools it authorizes fulfill the purposes for chartered public schools and the agreed upon terms of the charter contract in order to safeguard quality educational opportunities for students and maintain public trust and confidence.

(b) An authorizer has the following responsibilities:

(1) to review applications for new schools and grade and site expansions of current schools, and determine whether to approve or deny the applications based on sound criteria and needs;

(2) to negotiate and execute performance charter contracts with the schools it authorizes;

(3) to conduct ongoing monitoring and oversight of the school's academic, operational, and financial performance commensurate with the school's circumstances during the term of the charter contract; and

(4) to evaluate the academic, operational, and financial performance of the school as defined in the charter contract prior to the end of the contract to determine the renewal status or termination of the contract.

(c) The commissioner shall not require an authorizer to undertake any role or responsibility beyond those in statute or the charter contract, or perform any oversight function which the department exercises in relation to any other public school.

(d) The authorizer shall document in the annual income and expenditure report under subdivision 8 the training its staff and consultants participated in during the previous school year relative to chartering and authorizer role and responsibilities.

(e) The authorizer must participate in annual department approved training.

Sec. 17. Minnesota Statutes 2016, section 124E.05, subdivision 4, is amended to read:

Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must include in its application to the commissioner at least the following:

- (1) how the organization carries out its mission by chartering schools;
- (2) a description of the capacity of the organization to serve as an authorizer, including the positions allocated to authorizing duties, the qualifications for those positions, the full-time equivalencies of those positions, and the financial resources available to fund the positions;
- (3) the application and review process the authorizer uses to decide whether to grant charters;
- (4) the type of contract it arranges with the schools it charters to meet the provisions of section 124E.10;
- (5) the process for overseeing the school, consistent with clause (4), to ensure that the schools chartered comply with applicable law and rules and the contract;
- (6) the criteria and process the authorizer uses to approve applications adding grades or sites under section 124E.06, subdivision 5; and
- (7) the process for renewing or terminating the school's charter based on evidence showing the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement; and.

~~(8) an assurance specifying that the organization is committed to serving as an authorizer for the full five-year term.~~

(b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict of interest between an authorizer and its charter schools or ongoing evaluation or continuing education of an administrator or other professional support staff by submitting to the commissioner a written promise to comply with the requirements.

Sec. 18. Minnesota Statutes 2016, section 124E.05, subdivision 7, is amended to read:

Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under section 124E.10, subdivision 4,

the authorizer must notify all its chartered schools and the commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30 in the next calendar year, regardless of when the authorizer's five-year term of approval ends. Upon notification of the schools and commissioner, the authorizer must provide a letter to the school for distribution to families of students enrolled in the school that explains the decision to withdraw as an authorizer and outlines the process the authorizer will undertake to assist the school's transfer to another authorizer. The commissioner may approve the transfer of a charter school to a new authorizer under section 124E.10, subdivision 5, 5a.

Sec. 19. Minnesota Statutes 2016, section 124E.06, subdivision 7, is amended to read:

Subd. 7. **Merger.** (a) Two or more charter schools may merge under chapter 317A. The effective date of a merger must be July 1. The merged school must continue under the identity of one of the merging schools. The authorizer and the merged school must execute a new charter contract under section 124E.10, subdivision 1, by July 1. The authorizer must submit to the commissioner a copy of the new signed charter contract within ten business days of executing the contract.

(b) Each merging school must submit a separate year-end report for the previous fiscal year for that school only. After the final fiscal year of the premerger schools is closed out, each of those schools must transfer the fund balances and debts to the merged school.

(c) For its first year of operation, the merged school is eligible to receive aid from programs requiring approved applications equal to the sum of the aid of all of the merging schools. For aids based on prior year data, the merged school is eligible to receive aid for its first year of operation based on the combined data of all of the merging schools.

(d) A charter school notified that its contract is not being renewed or terminated under section 124E.10, subdivision 4, may merge with another school only if the school proposing to take over the school:

(1) has a compatible academic or learning program;

(2) had, as of June 30 of the previous year, a net positive unreserved general fund balance for at least three fiscal years; and

(3) submits a plan for the assimilation of the schools into a merged school that is approved by the authorizers of the schools involved in the merger.

After approving the school's plan for the assimilation of the schools into a merged school, the authorizer shall submit an affidavit in the form and manner prescribed by the commissioner at least 60 business days prior to contract nonrenewal or contract termination.

Sec. 20. Minnesota Statutes 2016, section 124E.07, subdivision 3, is amended to read:

Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall have at least five nonrelated members and include: (1) at least one licensed teacher who is employed as a teacher ~~at~~ by the school or provides instruction under contract between the charter school and a cooperative; (2) at least one parent or legal guardian of a student enrolled in the charter school who

is not an employee of the charter school; and (3) at least one interested community member who resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school. The board structure may include a majority of teachers under this paragraph or parents or community members, or it may have no clear majority. The ~~chief financial officer and the~~ chief administrator may only serve as ex-officio nonvoting board members. No charter school employees shall serve on the board other than teachers under clause (1). Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.

(b) An individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

(c) A violation of paragraph (b) renders a contract voidable at the option of the commissioner or the charter school board of directors. A member of a charter school board of directors who violates paragraph (b) is individually liable to the charter school for any damage caused by the violation.

(d) Any employee, agent, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school is ineligible to serve on the board of directors of a school chartered by that authorizer.

Sec. 21. Minnesota Statutes 2016, section 124E.07, subdivision 4, is amended to read:

Subd. 4. **Board structure.** Board bylaws shall outline the process and procedures for changing the board's governance structure, consistent with chapter 317A. A board may change its governance structure only:

(1) by a majority vote of the board of directors ~~and~~;

(2) a majority vote of the licensed teachers employed by the school as teachers, including licensed teachers providing instruction under a contract between the school and a cooperative; and

~~(2)~~ (3) with the authorizer's approval.

Any change in board governance structure must conform with the board composition established under this section.

Sec. 22. Minnesota Statutes 2016, section 124E.07, subdivision 7, is amended to read:

Subd. 7. **Training.** Every charter school board member, including voting and nonvoting ex-officio members, shall attend annual training throughout the member's term. All new board members shall attend initial training on the board's role and responsibilities, employment policies and practices, and financial management. A new board member who does not begin the required initial training within ~~six~~ three months after being seated and complete that training within ~~12~~ nine months after being seated is automatically ineligible to continue to serve as a board member. The school shall include in its annual report the training each board member attended during the previous year.

Sec. 23. Minnesota Statutes 2016, section 124E.10, is amended by adding a subdivision to read:

**Subd. 5a. School transfer of authorizers.** (a) If the authorizer and the charter school board mutually agree to not renew the contract for a reason unrelated to any cause under subdivision 4, the authorizer and charter school must jointly submit to the commissioner a written and signed letter of their intent to mutually not renew the contract. The authorizer that is a party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school, including unmet contract outcomes and other contractual obligations. The charter contract between the proposed authorizers and the school must identify and provide a plan to address any outstanding obligations. If the commissioner does not approve the transfer of authorizer, the current authorizer and the school may withdraw their letter of nonrenewal and enter into a new contract. If the commissioner does not approve the transfer and the authorizer and school enter into a new contract without withdrawing their letter of nonrenewal, the school must be dissolved according to applicable law and the terms of the contract.

(b) If, at the end of a contract, a charter school board votes to not renew its contract with the authorizer, is not subject to action under an authorizer's established corrective action or intervention plan as defined in their current contract, and is not subject to action of the authorizer under subdivision 4, the charter school board must notify the authorizer and commissioner that it does not plan to renew the relationship with the authorizer. The authorizer that is party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school. The charter contract between the proposed authorizer and the school must identify and provide a plan to address any performance issues identified by the current authorizer. If the commissioner does not approve the transfer of authorizers and the current authorizer and school do not enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

(c) If the governing board of an approved authorizer votes to withdraw as an authorizer under section 124E.05, subdivision 7, the proposed authorizer may submit a transfer request to the commissioner at any time after the withdrawing authorizer has given proper notice to the commissioner and the schools it authorizes. The authorizer and school board of directors must, in a joint letter, notify families of students enrolled in the school the date of the withdrawal, outline the process to change authorizers, and the possible outcomes of that process. The commissioner shall have 20 business days to review the transfer request and notify the proposed authorizer and the school of the commissioner's decision. The proposed authorizer and the school have 15 business days to address any issues identified by the commissioner's review. The commissioner shall have 20 business days after the proposed authorizer and the school address any issues identified by the commissioner's initial review to make a final determination.

(d) If the commissioner withdraws the authority of the authorizer to authorize schools under section 124E.05, subdivision 6, the commissioner shall develop a transfer of authorizer plan with the authorizer, the charter school, and the proposed authorizer. This paragraph applies to schools not subject to nonrenewal for any cause under subdivision 4.

(e) Transfer requests with the proposed contracts under paragraphs (a) and (b) shall be submitted to the commissioner at least 105 business days before the end of an existing contract. The

commissioner shall have 30 business days to review the transfer request and notify the proposed authorizer and the school of the commissioner's decision. The proposed authorizer and the school shall have 15 business days to address any issues identified by the commissioner's review. The commissioner shall make a final determination of the transfer request not later than 45 business days before the end of the current contract.

Sec. 24. Minnesota Statutes 2016, section 124E.11, is amended to read:

**124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

(a) A charter school, including its free preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

(1) pupils within an age group or grade level;

(2) pupils who are eligible to participate in the graduation incentives program under section 124D.68; or

(3) residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

(b) A charter school, including its free preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its Web site, a lottery policy and process that it must use when accepting pupils by lot.

(c) A charter school shall give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A charter school that is located in Duluth township in St. Louis County and admits students in kindergarten through grade 6 must give enrollment preference to students residing within a five-mile radius of the school and to the siblings of enrolled children. A charter school may give enrollment preference to children currently enrolled in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (a), who are eligible to enroll in kindergarten in the next school year.

(d) A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its Web site a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

(e) Except as permitted in paragraph (d), a charter school, including its free preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude,

or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.

(f) The charter school or any agent of the school shall not distribute any services ~~or~~ goods, payments, or other incentives of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

(g) Once a student is enrolled in the school, the student is considered enrolled in the school until ~~the student formally withdraws~~ school receives a request for the transfer of educational records from another school, or a written election by the parent or guardian of the student withdrawing the student, or is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56. ~~A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.~~

(h) A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause (iv).

Sec. 25. Minnesota Statutes 2016, section 124E.16, is amended to read:

#### **124E.16 REPORTS.**

Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under this subdivision. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing auditing procedures. A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing municipal contracting. The audit must comply with the requirements of sections 123B.75 to 123B.83 governing school district finance, except when the commissioner and authorizer approve a deviation made necessary because of school program finances. The commissioner, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

(b) The charter school must submit an audit report to the commissioner and its authorizer annually by December 31.

(c) The charter school, with the assistance of the auditor conducting the audit, must include with the audit report, as supplemental information: (1) a copy of a new management ~~agreements~~ agreement or an amendment to a current agreement with a ~~charter management organization~~ CMO or EMO signed during the audit year; or an educational management organization and (2) service agreements or contracts over the lesser of \$100,000 or ten percent of the school's most recent annual audited expenditures a copy of a new agreement or amendment to a current contract with an online education service provider; and (3) a copy of a service agreement or contract with a company or individual totalling over ten percent of the audited expenditures for the most recent audit year. The agreements



must detail the terms of the agreement, including the services provided and the annual costs for those services. ~~If the entity that provides the professional services to the charter school is exempt from taxation under section 501 of the Internal Revenue Code of 1986, that entity must file with the commissioner by February 15 a copy of the annual return required under section 6033 of the Internal Revenue Code of 1986.~~

(d) A charter school independent audit report shall include audited financial data of an affiliated building corporation under section 124E.13, subdivision 3, or other component unit.

(e) If the audit report finds that a material weakness exists in the financial reporting systems of a charter school, the charter school must submit a written report to the commissioner explaining how the charter school will resolve that material weakness. An auditor, as a condition of providing financial services to a charter school, must agree to make available information about a charter school's financial audit to the commissioner and authorizer upon request.

**Subd. 2. Annual public reports.** (a) A charter school must publish an annual report approved by the board of directors. The annual report must at least include information on school enrollment, student attrition, governance and management, staffing, finances, management agreements with a CMO, EMO, or online education service provider, academic performance, innovative practices and implementation, and future plans. A charter school may combine this report with the reporting required under section 120B.11 governing the world's best workforce. A charter school must post the annual report on the school's official Web site. A charter school also must distribute the annual report by publication, mail, or electronic means to its authorizer, school employees, and parents and legal guardians of students enrolled in the charter school. The reports are public data under chapter 13.

(b) An authorizer must submit an annual public report in a manner specified by the commissioner by January 15 for the previous school year ending June 30 that shall at least include key indicators of school academic, operational, and financial performance. The report is part of the system to evaluate authorizer performance under section 124E.05, subdivision 5.

**Subd. 3. Public accountability and reporting of education management and online education service provider agreements.** (a) A charter school that enters into a management agreement with a CMO, EMO, or an online education service provider must:

(1) publish on its Web site for at least 20 business days the proposed final agreement for public review and comment before the school board may adopt the contract or agreement. Any changes made to the posted agreement during the public review period or any proposed amendments to the agreement once adopted must be posted for 20 business days before the board may adopt the amendments to the contract;

(2) annually publish on its Web site a statement of assurance that no member of the school board, employee, or any agent of the school has been promised or received any form of compensation or gifts from the CMO, EMO, or online education service provider and that no person involved as a board member, employee, or agent of the CMO, EMO, or online education service provider or any of the affiliates of these organizations or providers serve on the charter school board; and

(3) conduct an independent review and evaluation of the services provided by the CMO, EMO, or online education service provider and publish the evaluation on the school's Web site at least 60 business days before the end of the current contract.

(b) All management agreements with a CMO, EMO, or online education service provider must contain the following provisions:

(1) the term of the contract, which may not be longer than five years;

(2) the total dollar value of the contract, including the annual projected costs of services;

(3) the description and terms of the services to be provided during the term of the contract;

(4) a statement that if the charter school closes during the term of the contract by action of the authorizer or the school's board, the balance of the current contract becomes null and void;

(5) an annual statement of assurance to the school board that the CMO, EMO, or online education service provider provided no compensation or gifts to any school board member, staff member, or agent of the school;

(6) an annual statement of assurance that no board member, employee, contractor, or agent of the CMO, EMO, or online education service provider or any affiliated organization is a board member of the school;

(7) the policies and protocols that meet federal and state laws regarding student and personnel data collection, usage, access, retention, disclosure and destruction, and indemnification and warranty provisions in case of data breaches by the CMO, EMO, or online education service provider;

(8) the CMO, EMO, or online education service provider must annually provide the school board a financial report that details revenue and expenses attributed to the contract by July 31 for the previous fiscal year that accounts for using the account categories in the uniform financial accounting and reporting standards; and

(9) an annual assurance that all assets purchased on behalf of the charter school using public funds remain assets of the school.

(c) Any agreement with a CMO, EMO, or an online education service provider containing any of the following provisions is null and void:

(1) restrictions on the charter school's ability to operate a school upon termination of the agreement;

(2) restrictions on the annual or total amount of the school's operating surplus or fund balance;

(3) authorization to allow a CMO, EMO, or online education service provider to withdraw funds from a charter school account; or

(4) authorization to allow a CMO, EMO, or online education service provider to loan funds to the school.

Sec. 26. Minnesota Statutes 2016, section 124E.17, subdivision 1, is amended to read:

Subdivision 1. **Charter school information.** (a) Charter schools must disseminate information about how to use the charter school offerings to targeted groups, among others. Targeted groups include low-income families and communities, students of color, and students who are at risk of academic failure.

(b) Authorizers and the commissioner must disseminate information to the public on how to form and operate a charter school. Authorizers, operators, and the commissioner also may disseminate information to interested stakeholders about the successful best practices in teaching and learning demonstrated by charter schools.

(c) A charter school must document its dissemination efforts in its annual report.

Sec. 27. **FEDERAL EVERY STUDENT SUCCEEDS ACT FUNDING FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH (STEM) ACTIVITIES.**

School districts are encouraged to use the funding provided for activities to support the effective use of technology under Title IV, Part A, of the federal Every Student Succeeds Act for:

(1) mentor-led, hands-on STEM education and engagement with materials that support inquiry-based and active learning;

(2) student participation in STEM competitions, including robotics competitions; and

(3) mentor-led, classroom-based, after-school activities with informal STEM instruction and education.

**EFFECTIVE DATE.** This section is effective July 1, 2017.

Sec. 28. **REPEALER.**

Minnesota Statutes 2016, section 124E.10, subdivision 5, is repealed.

### ARTICLE 3

### TEACHERS

Section 1. Minnesota Statutes 2016, section 122A.415, subdivision 4, is amended to read:

Subd. 4. **Basic alternative teacher compensation aid.** (a) The basic alternative teacher compensation aid for a school with a plan approved under section 122A.414, subdivision 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1. The basic alternative teacher compensation aid for a charter school with a plan approved under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils enrolled in the school on October 1 of the previous year, or on October 1 of the current year for a charter school in the first year of operation, times the ratio of the sum of the alternative teacher compensation aid and alternative

teacher compensation levy for all participating school districts to the maximum alternative teacher compensation revenue for those districts under subdivision 1.

(b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative teacher compensation aid entitlement must not exceed \$75,840,000 for fiscal year 2016 and \$88,118,000 for fiscal year 2017 and later. The commissioner must limit the amount of alternative teacher compensation aid approved under this section so as not to exceed these limits by not approving new participants or by prorating the aid among participating districts, intermediate school districts, school sites, and charter schools. The commissioner may also reallocate a portion of the allowable aid for the biennium from the second year to the first year to meet the needs of approved participants.

(c) Basic alternative teacher compensation aid for an intermediate district or other cooperative unit equals \$3,000 times the number of licensed teachers employed by the intermediate district or cooperative unit on October 1 of the previous school year.

**Sec. 2. [122A.417] ALTERNATIVE TEACHER COMPENSATION REVENUE FOR ST. CROIX RIVER EDUCATION DISTRICT.**

Notwithstanding section 122A.415, subdivision 4, paragraph (c), the St. Croix River Education District, No. 6009-61, is eligible to receive alternative teacher compensation revenue based on its staffing as of October 1 of the previous fiscal year. To qualify for alternative teacher compensation revenue, the St. Croix River Education District must meet all of the requirements of sections 122A.414 and 122A.415 that apply to cooperative units, must report its staffing as of October 1 of each year to the department in a manner determined by the commissioner, and must annually report by November 30 its expenditures for the alternative teacher professional pay system consistent with the uniform financial accounting and reporting standards to the department.

**Sec. 3. [122A.627] POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.**

"Positive behavioral interventions and supports" or "PBIS" means an evidence-based framework for preventing problem behavior, providing instruction and support for positive and prosocial behaviors, and supporting social, emotional, and behavioral needs for all students. Schoolwide implementation of PBIS requires training, coaching, and evaluation for school staff to consistently implement the key components that make PBIS effective for all students, including:

(1) establishing, defining, teaching, and practicing three to five positively stated schoolwide behavioral expectations that are representative of the local community and cultures;

(2) developing and implementing a consistent system used by all staff to provide positive feedback and acknowledgment for students who display schoolwide behavioral expectations;

(3) developing and implementing a consistent and specialized support system for students who do not display behaviors representative of schoolwide positive expectations;

(4) developing a system to support decisions based on data related to student progress, effective implementation of behavioral practices, and screening for students requiring additional behavior supports;

(5) using a continuum of evidence-based interventions that is integrated and aligned to support academic and behavioral success for all students; and

(6) using a team-based approach to support effective implementation, monitor progress, and evaluate outcomes.

#### ARTICLE 4

#### SPECIAL EDUCATION

Section 1. Minnesota Statutes 2016, section 125A.0941, is amended to read:

##### **125A.0941 DEFINITIONS.**

(a) The following terms have the meanings given them.

(b) "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists.

(c) "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. The term physical holding does not mean physical contact that:

(1) helps a child respond or complete a task;

(2) assists a child without restricting the child's movement;

(3) is needed to administer an authorized health-related service or procedure; or

(4) is needed to physically escort a child when the child does not resist or the child's resistance is minimal.

(d) "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately, including the key components under section 122A.627.

(e) "Prone restraint" means placing a child in a face down position.

(f) "Restrictive procedures" means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child.

(g) "Seclusion" means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from

leaving the room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

Sec. 2. Minnesota Statutes 2016, section 125A.515, is amended to read:

**125A.515 PLACEMENT OF STUDENTS; APPROVAL OF EDUCATION PROGRAM.**

Subdivision 1. **Approval of on-site education programs.** The commissioner shall approve on-site education programs for placement of children and youth in residential facilities including detention centers, before being licensed by the Department of Human Services or the Department of Corrections. Education programs in these facilities shall conform to state and federal education laws including the Individuals with Disabilities Education Act (IDEA). This section applies only to placements in children's residential facilities licensed by the Department of Human Services or the Department of Corrections. For purposes of this section, "on-site education program" means the educational services provided directly on the grounds of the ~~care and treatment~~ children's residential facility to children and youth placed for care and treatment.

Subd. 3. **Responsibilities for providing education.** (a) The district in which the children's residential facility is located must provide education services, including special education if eligible, to all students placed in a facility.

(b) For education programs operated by the Department of Corrections, the providing district shall be the Department of Corrections. For students remanded to the commissioner of corrections, the providing and resident district shall be the Department of Corrections.

Subd. 3a. **Students without a disability from other states.** A school district is not required to provide education services under this section to a student who:

(1) is not a resident of Minnesota;

(2) does not have an individualized education program; and

(3) does not have a tuition arrangement or agreement to pay the cost of education from the placing authority.

Subd. 4. **Education services required.** (a) Education services must be provided to a student beginning within three business days after the student enters the ~~care and treatment~~ children's residential facility. The first four days of the student's placement may be used to screen the student for educational and safety issues.

(b) If the student does not meet the eligibility criteria for special education, regular education services must be provided to that student.

Subd. 5. **Education programs for students placed in children's residential facilities.** (a) When a student is placed in a children's residential facility ~~approved~~ under this section that has an on-site education program, the providing district, upon notice from the ~~care and treatment~~ children's residential facility, must contact the resident district within one business day to determine if a student has been identified as having a disability, and to request at least the student's transcript, and for

students with disabilities, the most recent individualized education program (IEP) and evaluation report, ~~and to determine if the student has been identified as a student with a disability.~~ The resident district must send a facsimile copy to the providing district within two business days of receiving the request.

(b) If a student placed under this section has been identified as having a disability and has an individualized education program in the resident district:

(1) the providing agency must conduct an individualized education program meeting to reach an agreement about continuing or modifying special education services in accordance with the current individualized education program goals and objectives and to determine if additional evaluations are necessary; and

(2) at least the following people shall receive written notice or documented phone call to be followed with written notice to attend the individualized education program meeting:

- (i) the person or agency placing the student;
- (ii) the resident district;
- (iii) the appropriate teachers and related services staff from the providing district;
- (iv) appropriate staff from the children's residential facility;
- (v) the parents or legal guardians of the student; and
- (vi) when appropriate, the student.

(c) For a student who has not been identified as a student with a disability, a screening must be conducted by the providing districts as soon as possible to determine the student's educational and behavioral needs and must include a review of the student's educational records.

**Subd. 6. Exit report summarizing educational progress.** If a student has been placed in a facility under this section for 15 or more business days, the providing district must prepare an exit report summarizing the regular education, special education, evaluation, educational progress, and service information and must send the report to the resident district and the next providing district if different, the parent or legal guardian, and any appropriate social service agency. For students with disabilities, this report must include the student's IEP.

**Subd. 7. Minimum educational services required.** When a student is placed in a children's residential facility ~~approved~~ under this section, at a minimum, the providing district is responsible for:

(1) the education necessary, including summer school services, for a student who is not performing at grade level as indicated in the education record or IEP; and

(2) a school day, of the same length as the school day of the providing district, unless the unique needs of the student, as documented through the IEP or education record in consultation with treatment providers, requires an alteration in the length of the school day.

Subd. 8. **Placement, services, and due process.** When a student's treatment and educational needs allow, education shall be provided in a regular educational setting. The determination of the amount and site of integrated services must be a joint decision between the student's parents or legal guardians and the treatment and education staff. When applicable, educational placement decisions must be made by the IEP team of the providing district. Educational services shall be provided in conformance with the least restrictive environment principle of the Individuals with Disabilities Education Act. The providing district and ~~care and treatment~~ children's residential facility shall cooperatively develop discipline and behavior management procedures to be used in emergency situations that comply with the Minnesota Pupil Fair Dismissal Act and other relevant state and federal laws and regulations.

Subd. 9. **Reimbursement for education services.** (a) Education services provided to students who have been placed under this section are reimbursable in accordance with special education and general education statutes.

(b) Indirect or consultative services provided in conjunction with regular education prereferral interventions and assessment provided to regular education students suspected of being disabled and who have demonstrated learning or behavioral problems in a screening are reimbursable with special education categorical aids.

(c) Regular education, including screening, provided to students with or without disabilities is not reimbursable with special education categorical aids.

Subd. 10. **Students unable to attend school but not covered under this section.** Students who are absent from, or predicted to be absent from, school for 15 consecutive or intermittent days, and placed at home or in facilities not licensed by the Departments of Corrections or Human Services are entitled to regular and special education services consistent with this section or Minnesota Rules, part 3525.2325. These students include students with and without disabilities who are home due to accident or illness, in a hospital or other medical facility, or in a day treatment center.

## ARTICLE 5

### SELF-SUFFICIENCY AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2016, section 124D.52, subdivision 7, is amended to read:

Subd. 7. **Performance tracking system.** (a) By July 1, 2000, each approved adult basic education program must develop and implement a performance tracking system to provide information necessary to comply with federal law and serve as one means of assessing the effectiveness of adult basic education programs. For required reporting, longitudinal studies, and program improvement, the tracking system must be designed to collect data on the following core outcomes for learners, including English learners, who have completed participating in the adult basic education program:



(1) demonstrated improvements in literacy skill levels in reading, writing, speaking the English language, numeracy, problem solving, English language acquisition, and other literacy skills;

(2) placement in, retention in, or completion of postsecondary education, training, unsubsidized employment, or career advancement;

(3) receipt of a secondary school diploma or its recognized equivalent; and

(4) reduction in participation in the diversionary work program, Minnesota family investment program, and food support education and training program.

(b) A district, group of districts, state agency, or private nonprofit organization providing an adult basic education program may meet this requirement by developing a tracking system based on either or both of the following methodologies:

(1) conducting a reliable follow-up survey; or

(2) submitting student information, including collected Social Security numbers for data matching.

~~Data related to obtaining employment must be collected in the first quarter following program completion or can be collected while the student is enrolled, if known. Data related to employment retention must be collected in the third quarter following program exit.~~ Data related to any other of the specified ~~outcome~~ outcomes may be collected at any time during a program year.

(c) When a student in a program is requested to provide the student's Social Security number, the student must be notified in a written form easily understandable to the student that:

(1) providing the Social Security number is optional and no adverse action may be taken against the student if the student chooses not to provide the Social Security number;

(2) the request is made under section 124D.52, subdivision 7;

(3) if the student provides the Social Security number, it will be used to assess the effectiveness of the program by tracking the student's subsequent career; and

(4) the Social Security number will be shared with the Department of Education; Minnesota State Colleges and Universities; Office of Higher Education; Department of Human Services; and Department of Employment and Economic Development in order to accomplish the purposes described in paragraph (a) and will not be used for any other purpose or reported to any other governmental entities.

(d) Annually a district, group of districts, state agency, or private nonprofit organization providing programs under this section must forward the tracking data collected to the Department of Education. For the purposes of longitudinal studies on the employment status of former students under this section, the Department of Education must forward the Social Security numbers to the Department of Employment and Economic Development to electronically match the Social Security numbers of former students with wage detail reports filed under section 268.044. The results of data matches must, for purposes of this section and consistent with the requirements of the ~~United States Code~~,

~~title 29, section 2871, of the Workforce Investment Act of 1998~~ Workforce Innovation and Opportunity Act, be compiled in a longitudinal form by the Department of Employment and Economic Development and released to the Department of Education in the form of summary data that does not identify the individual students. The Department of Education may release this summary data. State funding for adult basic education programs must not be based on the number or percentage of students who decline to provide their Social Security numbers or on whether the program is evaluated by means of a follow-up survey instead of data matching.

Sec. 2. Minnesota Statutes 2016, section 124D.549, is amended to read:

**124D.549 GENERAL EDUCATION DEVELOPMENT (GED) TESTS RULES; COMMISSIONER COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST.**

The commissioner ~~may amend rules to reflect changes in the national minimum standard score for passing the general education development (GED) tests, in consultation with the adult basic education stakeholders, must select a high school equivalency test. The commissioner may issue a high school equivalency diploma to a Minnesota resident 19 years of age or older who has not earned a high school diploma and who has not previously been issued a GED, and who has exceeded or achieved a minimum passing score on the equivalency test established by the publisher. The commissioner of education may waive the minimum age requirement if supportive evidence is provided by an employer or a recognized education or rehabilitation provider.~~

Sec. 3. Minnesota Statutes 2016, section 124D.55, is amended to read:

**124D.55 GENERAL EDUCATION DEVELOPMENT (GED) COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST FEES.**

The commissioner shall pay 60 percent of the fee that is charged to an eligible individual for the full battery of ~~general education development (GED)~~ the commissioner-selected high school equivalency tests, but not more than \$40 for an eligible individual.

For fiscal year 2017 only, the commissioner shall pay 100 percent of the fee charged to an eligible individual for the full battery of ~~general education development (GED)~~ the commissioner-selected high school equivalency tests, but not more than the cost of one full battery of tests per year for any individual.

Sec. 4. Minnesota Statutes 2016, section 256J.08, subdivision 38, is amended to read:

Subd. 38. **Full-time student.** "Full-time student" means a person who is enrolled in a graded or ungraded primary, intermediate, secondary, ~~GED~~ commissioner of education-selected high school equivalency preparatory, trade, technical, vocational, or postsecondary school, and who meets the school's standard for full-time attendance.

Sec. 5. Minnesota Statutes 2016, section 256J.08, subdivision 39, is amended to read:

Subd. 39. ~~General educational development or GED~~ **Commissioner of education-selected high school equivalency.** "General educational development" or "GED" "Commissioner of education-selected high school equivalency" means the general educational development high school

equivalency certification issued by the commissioner of education as an equivalent to a secondary school diploma under Minnesota Rules, part 3500.3100, subpart 4.

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

In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the term "commissioner-selected high school equivalency" or similar term for "general education development," "GED," or similar terms for wherever the term refers to the tests or programs leading to a certification issued by the commissioner of education as an equivalency to a secondary diploma.

Sec. 7. **REPEALER.**

Minnesota Rules, part 3500.3100, subpart 4, is repealed.

## ARTICLE 6

### LIBRARIES

Section 1. Minnesota Statutes 2016, section 134.31, subdivision 2, is amended to read:

Subd. 2. **Advice and instruction.** The Department of Education shall give advice and instruction to the managers of any public library or to any governing body maintaining a library or empowered to do so by law upon any matter pertaining to the organization, maintenance, or administration of libraries. The department may also give advice and instruction, as requested, to postsecondary educational institutions, public school districts or charter schools, state agencies, governmental units, nonprofit organizations, or private entities. It shall assist, to the extent possible, in the establishment and organization of library service in those areas where adequate services do not exist, and may aid in improving previously established library services. The department shall also provide assistance to school districts, regional library systems, and member libraries interested in offering joint library services at a single location."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on E-12 Finance. Amendments adopted. Report adopted.

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

**S.F. No. 1292:** A bill for an act relating to human services; modifying provisions governing children and families services, mental health services, community services system data sharing, and operations; amending Minnesota Statutes 2016, sections 13.32, by adding a subdivision; 13.46, subdivisions 1, 2, 3; 13.461, subdivision 28; 13.84, subdivision 5; 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, 2, 2a, 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; 256N.28, subdivision 6; 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; 270B.14, subdivision 1; 393.07, subdivision 10; 518A.41, subdivision 4; 518A.685; 626.556, subdivisions 2, 3, 3c, 3e, 7, 10, 10f, 10j, 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 13.468; 119B.125, subdivision 8; 256J.751, subdivision 1.

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

Page 1, delete section 1

Page 6, delete section 2

Page 7, delete section 3

Page 8, delete sections 4 and 5

Page 9, delete sections 6 and 7

Page 10, delete section 10

Page 10, line 15, delete "education, physical health, and mental health records or information" and insert "educational records"

Page 14, delete section 11

Page 19, delete section 12

Page 20, delete section 13

Page 21, delete section 14

Page 24, delete section 15

Page 27, delete section 17

Page 29, delete section 18

Page 30, delete section 19

Page 31, delete section 20

Page 32, delete section 21

Page 33, delete section 22

Page 34, delete section 23

Page 35, delete section 26

Page 38, delete section 27

Page 40, delete section 28

Page 41, line 12, delete "or provider"

Page 42, line 30, delete "alcohol or"

Page 48, delete section 31

Page 48, line 4, reinstate the stricken "who is" and delete "while"

Page 49, delete sections 32 and 33

Page 51, delete section 34

Page 60, delete section 37

Page 61, delete section 38

Page 63, delete sections 40 and 1

Page 64, delete section 2

Page 71, line 19, delete ", revoke,"

Page 71, line 22, delete ", revoking,"

Page 85, after line 31, insert:

"Sec. 24. Minnesota Statutes 2016, section 253D.28, subdivision 3, is amended to read:

Subd. 3. **Decision.** A majority of the judicial appeal panel shall rule upon the petition. The panel shall consider the petition de novo. No order of the judicial appeal panel granting a transfer, or provisional discharge, ~~or provisional discharge~~ shall be made effective sooner than 15 days after it is issued. No order of the judicial appeal panel granting discharge shall be made effective sooner than 30 days after it is issued. The panel may not consider petitions for relief other than those considered by the special review board from which the appeal is taken. The judicial appeal panel may not grant a transfer or provisional discharge on terms or conditions that were not presented to the special review board."

Page 86, delete section 26

Page 87, delete section 27

Page 88, delete section 28

Page 89, delete section 29

Page 92, delete section 30

Page 94, delete section 31

Page 95, delete sections 32 and 33

Page 96, delete section 34

Page 97, delete section 35

Page 98, delete sections 36 and 37

Page 99, delete sections 38 to 40

Page 100, delete section 41

Page 101, delete sections 42 to 44

Page 104, delete section 45

Page 105, delete section 46

Page 106, delete sections 47 and 48

Page 107, delete section 49

Page 109, line 31, delete "COMMUNITY SERVICES" and insert "WELFARE"

Page 110, line 1, delete "community services" and insert "welfare" and delete "community" and insert "welfare"

Page 110, line 2, delete "services" and delete ", as defined in section 13.46, subdivision 1, paragraph (c),"

Page 110, line 10, delete everything after "release"

Page 110, line 11, delete "statute"

Page 110, lines 17 and 24, delete the new language and reinstate the stricken language

Page 110, lines 19 and 30, delete "community services" and insert "welfare"

Page 111, lines 9, 14, 18, and 24, delete the new language and reinstate the stricken language

Page 112, line 11, delete the new language and reinstate the stricken language

Page 115, delete lines 27 to 29 and insert:

"(32) to the chief administrative officer of a school to coordinate services for a student and family; data that may be disclosed under this clause are limited to name, date of birth, gender, and address; or

(33) to county correctional agencies to the extent necessary to coordinate services and diversion programs; data that may be disclosed under this clause are limited to name, client demographics, program, case status, and county worker information"

Page 115, line 30, delete the new language

Page 116, line 17, before the semicolon, insert ", or to county personnel within the community services system"

Page 116, line 19, reinstate the stricken language

Page 116, lines 20 to 22, delete the new language

Page 117, delete section 6

ReNUMBER the sections in sequence

Amend the title numbers accordingly

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

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

**H.F. No. 778:** A bill for an act relating to the Minnesota Sports Facilities Authority; providing for classification of certain data; modifying appointments to the authority board; modifying duties; restricting the use of stadium suites; amending Minnesota Statutes 2016, sections 13.55, subdivision 2; 473J.07, subdivisions 2, 3, 4, 8, by adding a subdivision; 473J.09, subdivisions 6, 13, by adding subdivisions; 473J.13, by adding a subdivision; repealing Minnesota Statutes 2016, section 473J.09, subdivision 14.

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 13.55, subdivision 2, is amended to read:

Subd. 2. **Public data.** (a) The data made not public by the provisions of subdivision 1 shall become public upon the occurrence of any of the following:

~~(a)~~ (1) five years elapse from the date on which the lease or contract is entered into between the facility and the inquiring party or parties or the event which was the subject of inquiry occurs at the facility, whichever occurs earlier;

~~(b)~~ (2) the event which was the subject of inquiry does not occur; or

~~(e)~~ (3) the event which was the subject of inquiry occurs elsewhere.

(b) Data regarding persons receiving free or discounted admission, tickets, or other gifts from publicly owned and operated convention facilities, civic center authorities, or the Minnesota Sports Facilities Authority are public data unless the data are subject to the provisions of subdivision 1 or 4, paragraph (b).

Sec. 2. Minnesota Statutes 2016, section 473J.03, is amended by adding a subdivision to read:

Subd. 13. **Stadium space.** "Stadium space" means a seat, personal seat license, suite, club room, parking, or any other part of the stadium or license to access any part of the stadium that a member of the general public would have to pay to use or access.

Sec. 3. Minnesota Statutes 2016, section 473J.07, subdivision 2, is amended to read:

Subd. 2. **Membership.** (a) The authority shall consist of five members.

(b) ~~The chair and two~~ Three members shall be appointed by the governor and confirmed by the senate. One member appointed by the governor shall serve until December 31 of the third year following appointment and one member shall serve until December 31 of the fourth year following appointment. Thereafter, members appointed by the governor shall serve four-year terms, beginning January 1. Each member serves until a successor is appointed and takes office unless removed by the appointing authority for cause. Cause for removal includes violation of the employee code of ethics in section 43A.38. The chair serves at the pleasure of the governor.

(c) The mayor of the city shall appoint two members to the authority. One member appointed by the mayor of the city and confirmed by the senate shall serve until December 31 of the third year following appointment and one member shall serve until December 31 of the fourth year following appointment. Thereafter, members appointed under this paragraph shall serve four-year terms beginning January 1. Each member serves until a successor is appointed and takes office unless removed by the appointing authority for cause. Cause for removal includes violation of the employee code of ethics in section 43A.38. Members appointed under this paragraph may reside within the city and may be appointed officials of a political subdivision.

~~(d) The initial members of the authority must be appointed not later than June 13, 2012.~~

Sec. 4. Minnesota Statutes 2016, section 473J.07, subdivision 3, is amended to read:

Subd. 3. **Compensation.** The authority may compensate its members, other than the chair, as provided in section 15.0575. The chair shall receive, unless otherwise provided by other law, a salary in an amount fixed by the authority, no more than half of the salary of the executive director of the authority and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 5. Minnesota Statutes 2016, section 473J.07, subdivision 4, is amended to read:

Subd. 4. **Chair.** The chair presides at all meetings of the authority, if present, and performs all other assigned duties and functions. The members of the authority shall biennially elect a chair from among its members. The authority may appoint from among its members a vice-chair to act for the



chair during the temporary absence or disability of the chair, and any other officers the authority determines are necessary or convenient.

Sec. 6. Minnesota Statutes 2016, section 473J.07, subdivision 7, is amended to read:

Subd. 7. **Audit.** The legislative auditor shall audit the books and accounts of the authority once each year or as often as the legislative auditor's funds and personnel permit. The authority shall pay the total cost of the audit pursuant to section 3.9741. The legislative auditor may conduct examinations of the authority's finances, budgets, expenditures, revenues, and its operation. The legislative auditor may periodically examine the authority's use of stadium space by the authority's members, staff, family, friends, and vendors.

Sec. 7. Minnesota Statutes 2016, section 473J.07, subdivision 8, is amended to read:

Subd. 8. **Executive director; employees.** The authority may appoint an executive director to serve as the chief executive officer of the authority. The executive director serves at the pleasure of the authority and receives compensation as determined by the authority but not to exceed 115 percent of the governor's salary. The executive director may be responsible for the operation, management, and promotion of activities of the authority, as prescribed by the authority. The executive director has the powers necessarily incident to the performance of duties required and powers granted by the authority, but does not have authority to incur liability or make expenditures on behalf of the authority without general or specific directions by the authority, as shown by the bylaws or minutes of a meeting of the authority. The executive director is responsible for hiring, supervision, and dismissal of all other employees of the authority. The authority must conduct an annual employee evaluation of the executive director, which must be reviewed and approved by the entire board.

Sec. 8. Minnesota Statutes 2016, section 473J.07, is amended by adding a subdivision to read:

Subd. 8a. **Budget; report.** After adoption, the authority shall submit its annual budget to the commissioner of management and budget and to the chairs and ranking minority members of the senate finance and house of representatives ways and means committees.

Sec. 9. Minnesota Statutes 2016, section 473J.07, subdivision 9, is amended to read:

Subd. 9. **Web site.** The authority shall establish a Web site for purposes of providing information to the public concerning all actions taken by the authority. At a minimum, the Web site must contain a current version of the authority's bylaws, notices of upcoming meetings, minutes of the authority's meetings, each annual budget, each use agreement, each management agreement, each sponsorship agreement, meeting minutes for all meetings, policies, and procedures, and contact telephone, electronic mail, and facsimile numbers for public comments. This subdivision does not apply to information that is classified as not public data, as defined in section 13.02, subdivision 8a, under other law.

Sec. 10. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 15. **Annual performance reports to the legislature.** The authority must submit annual performance reports to the chair and ranking minority member of the Legislative Commission on

Minnesota Sports Facilities and to the chairs and ranking minority members of the senate Finance Committee and the house of representatives Ways and Means Committee.

Sec. 11. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 16. Use of stadium space by authority members. Authority members may not use stadium space unless the use is for a legitimate business purpose. Legitimate business purposes are:

(1) participating in a marketing effort arranged by the authority's marketing vendor;

(2) conducting oversight of the operation of the stadium; or

(3) making stadium space available to nonprofit charitable organizations to provide access to events at the stadium for people served by the charitable organization.

Sec. 12. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 17. Use of stadium space by staff members. The executive director may not use stadium space unless the use is for a legitimate business purpose and is approved by a vote of the authority at a public meeting, and the legitimate business purpose is made a part of the public record. Stadium space may not be used by the authority's staff members, other than the executive director, unless the use is with the express written assignment of duties by the executive director. Staff may not receive free food or beverages and may not receive free parking unless necessary to complete the assigned duties.

Sec. 13. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 18. Use of stadium space by family and friends of authority members. The authority or its members may not grant access to stadium space to family members or friends of the authority's members or staff unless the use is for a legitimate business purpose and is approved by a vote of the authority at a public meeting, and the legitimate business purpose is made a part of the public record. A legitimate business purpose under this subdivision means being a prospective user of the stadium.

Sec. 14. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 19. Use of stadium space by marketing vendor. If the authority contracts with a vendor for services to market the stadium, the authority may extend to the marketing vendor complimentary access to stadium space for the purpose of marketing the stadium to prospective users of the stadium, provided the contract requires the vendor to report to the authority the following information within 30 days after each event at which the vendor has used stadium space:

(1) the costs of use;

(2) the identity of each adult attendee and their legitimate business purpose for attendance;

(3) the date, time, and a general description of the stadium event at which the suite was used;  
and

(4) the value and description of any food, parking, or other benefits provided to attendees.

Data that the authority receives under this subdivision is public data unless otherwise classified by section 13.55.

Sec. 15. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 20. **Use of suite for charitable purposes.** The Minnesota Sports Facilities Authority must make all suites to which the authority has access during NFL team stadium events under its use agreement with an NFL team, except for one suite, available to charitable organizations organized under section 501(c)(3) of the Internal Revenue Code for use during team stadium events. The authority must maintain a list of charitable organizations given access to a suite under this subdivision and the identity of adult attendees. Data on attendees under this subdivision are private data on individuals, as defined in section 13.02.

Sec. 16. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 21. **Report on stadium space use by authority members, staff, and vendors.** The authority shall report the following information annually to the governor, the mayor of the city of Minneapolis, the chair of the Legislative Commission on Minnesota Sports Facilities, and the chairs and ranking minority members of the senate Finance Committee and the house of representatives Ways and Means Committee regarding use of stadium space by authority members, staff, and vendors or their guests:

(1) the costs of use;

(2) the identity of each adult attendee and their legitimate business purpose for attendance;

(3) the date, time, and a general description of the stadium event at which the suite was used; and

(4) the value and description of any food, parking, or other benefits provided to attendees.

Sec. 17. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 22. **Open market purchase.** This section does not prohibit an authority member, staff member, friend, or family member of the authority or staff from attending events, renting rooms, or using suites at the stadium for which the person purchased a ticket, rented a room, or purchased a suite, on the open market for fair market value.

Sec. 18. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 23. **Code of conduct.** The authority shall adopt and comply with the latest version of the state code of conduct promulgated by Minnesota Management and Budget. For purposes of section 43A.38 as applied to the authority, an authority member or an authority staff member is an "employee of the executive branch;" use of stadium space by an authority member or by authority staff, unless permitted under section 473J.09, constitutes a "gift" under section 43A.38, subdivision 2; and

constitutes "use of state property for the employee's private interest" under section 43A.48, subdivision 4.

Sec. 19. **RECOVERY.**

The Minnesota Sports Facilities Authority must recover the fair market value of any food, parking, tickets, and access to stadium suites provided to a person prior to January 1, 2017, if the provision of those benefits to the person was not in the public interest. The authority shall report on recovery efforts to the commissioner of management and budget and to the chairs and ranking minority members of the senate finance and house of representatives ways and means committees on the second Monday of each month until a full recovery is completed.

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

Sec. 20. **REPEALER.**

Minnesota Statutes 2016, section 473J.09, subdivision 14, is repealed.

Sec. 21. **EFFECTIVE DATE.**

Except where otherwise provided, this act is effective July 1, 2017, and, notwithstanding any law to the contrary, the appointment of the current executive director of the authority and the terms of all current members of the authority terminate on that date. New appointments must be made by the appointing authorities by May 1, 2017, and, if confirmed by the senate, will be effective July 2, 2017."

Delete the title and insert:

"A bill for an act relating to the Minnesota Sports Facilities Authority; classifying data; providing for appointments; modifying duties; restricting the use of stadium space; requiring reports; amending Minnesota Statutes 2016, sections 13.55, subdivision 2; 473J.03, by adding a subdivision; 473J.07, subdivisions 2, 3, 4, 7, 8, 9, by adding a subdivision; 473J.09, by adding subdivisions; repealing Minnesota Statutes 2016, section 473J.09, subdivision 14."

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

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

**S.F. No. 1087:** A bill for an act relating to environment; modifying permitting requirements; providing expedited environmental-review billing options; modifying reclamation appeal provisions; eliminating Environmental Quality Board and reassigning duties; amending Minnesota Statutes 2016, sections 3.886, subdivision 4; 13.7411, subdivision 9; 18B.045; 18E.06; 84.027, subdivisions 14a, 14b, by adding subdivisions; 93.50; 103A.204; 103B.101, subdivision 9; 103B.151; 103B.315, subdivision 5; 103H.151, subdivision 4; 103H.175, subdivision 3; 115A.32; 115A.33; 115A.34; 115A.35; 115A.36; 115A.37; 115A.38, subdivisions 1, 3; 115A.39; 115B.20, subdivision 6; 116.03, subdivision 2b, by adding a subdivision; 116.07, subdivision 4d, by adding subdivisions; 116C.74,

subdivision 2; 116C.91, by adding a subdivision; 116C.92; 116C.94; 116C.95; 116C.96; 116C.97; 116C.99, subdivisions 2, 3; 116C.991; 116C.992; 116D.04, subdivisions 2a, 3a, 5b, 10, 13, 14; 116D.045, subdivision 1; 116F.06, subdivision 2; 216B.243, subdivision 7; 216C.18, subdivision 2; repealing Minnesota Statutes 2016, sections 103A.403; 103A.43; 103F.614; 116C.02; 116C.03, subdivisions 1, 2, 2a, 3a, 4, 5, 6; 116C.04, subdivisions 1, 2, 3, 4, 7, 10, 11; 116C.06; 116C.08; 116C.71, subdivisions 1c, 2a; 116C.721; 116C.722; 116C.724, subdivisions 2, 3; 116C.91, subdivision 2; 116G.03, subdivision 2.

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

Page 15, line 13, strike "30" and insert "45"

Page 15, line 14, delete "makes its" and insert "provides notice of the decision as required by law"

Page 15, line 15, delete "decision"

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

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

**S.F. No. 78:** A bill for an act relating to state government; creating the Legislative Budget Office; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 2016, sections 3.305, subdivision 1; 3.98, subdivisions 1, 4; 3.987, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3; 16A.

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

Delete everything after the enacting clause and insert:

"Section 1. **ADVISORY TASK FORCE ON FISCAL NOTES.**

Subdivision 1. **Membership.** The Advisory Task Force on Fiscal Notes consists of the following 13 voting members:

(1) four senators, including two senators appointed by the senate majority leader and two senators appointed by the senate minority leader;

(2) four members of the house of representatives, including two members appointed by the speaker of the house of representatives and two members appointed by the minority leader of the house of representatives;

(3) the commissioner of management and budget or a designee;

(4) the state budget director or designee;

(5) two fiscal note coordinators selected by the commissioner of management and budget; and

(6) one member appointed by the governor from the Office of the Governor.

The lead fiscal analyst for the senate or a designee and the chief fiscal analyst for the house of representatives or a designee shall serve on the task force as nonvoting members.

Subd. 2. **Duties.** (a) The task force shall conduct a detailed review of the current fiscal note process under Minnesota Statutes, section 3.98, to determine whether to modify the process. The review should consider:

(1) the needs of the legislature for timely, accurate, unbiased fiscal notes prepared in a cost-effective manner;

(2) the time it takes to obtain a fiscal note;

(3) the accuracy of fiscal notes;

(4) methods used by other states for preparing fiscal notes;

(5) the effect that legislative scheduling and amendments have on accuracy and timing of fiscal notes;

(6) review of the legislative auditor's 2012 report on fiscal notes; and

(7) the current process of generating fiscal notes.

(b) The task force shall evaluate whether the fiscal note process could be improved if the legislature, through a new legislative office, assumed the current role of the commissioner of management and budget in the fiscal note process; the cost for creating a new legislative office; whether the cost for the new office would be justified by the expense; and what safeguards would be needed to be put in place to ensure the independence and nonpartisan status of the office.

Subd. 3. **Report.** The task force shall report to the chairs and ranking minority members of the committees in the house of representatives and senate with jurisdiction over the fiscal note process by June 1, 2018, with recommendations for modifying the fiscal note process. The report must include any draft legislation needed to implement the recommendations.

Subd. 4. **Chair.** The task force shall elect a chair by a majority vote of those members present.

Subd. 5. **Meetings.** The meetings of the commission are subject to Minnesota Statutes, section 3.055.

Subd. 6. **Administration.** The Legislative Coordinating Commission shall provide administrative services for the commission.

Subd. 7. **Compensation.** Members who are not legislators serve without compensation.

Subd. 8. **Expiration.** This section expires the day after submitting the report required in subdivision 3.

Sec. 2. **FIRST APPOINTMENTS AND FIRST MEETING OF THE ADVISORY TASK FORCE ON FISCAL INFORMATION FOR THE LEGISLATURE.**

Subdivision 1. **First appointments.** Appointing authorities must make initial appointments to the Advisory Task Force on Fiscal Notes by June 1, 2017.

Subd. 2. **First meeting.** The majority leader of the senate shall designate one senate member of the Advisory Task Force on Fiscal Notes to convene the first meeting by August 1, 2017. The commission must select a chair from among the senate members at the first meeting.

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

Delete the title and insert:

"A bill for an act relating to state government; establishing an Advisory Task Force on Fiscal Notes."

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

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

S.F. Nos. 1011, 799, 106, 1047, 1344, 1291, 1353, 1844, 1958, 1354, 1088, and 1292 were read the second time.

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

The following bills were read the first time.

#### **Senators Anderson, B.; Newman; and Kiffmeyer introduced--**

**S.F. No. 2018:** A bill for an act relating to transportation; authorizing the Metropolitan Council and counties to contract for use of railroad or mass transit right-of-way; regulating civil liability; proposing coding for new law in Minnesota Statutes, chapter 473.

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

#### **Senators Anderson, B.; Newman; and Kiffmeyer introduced--**

**S.F. No. 2019:** A bill for an act relating to transportation; authorizing the Metropolitan Council and counties to contract for use of railroad or mass transit right-of-way; regulating civil liability; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Transportation Finance and Policy.

**Senators Housley, Utke, Champion, Simonson, and Hawj introduced--**

**S.F. No. 2020:** A bill for an act relating to economic development; appropriating money for a grant to the Neighborhood Development Center.

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

**Senator Goggin introduced--**

**S.F. No. 2021:** A bill for an act relating to state government; allowing employees to opt out of state-paid insurance and benefits; amending Minnesota Statutes 2016, section 43A.24, by adding a subdivision.

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

**Senators Dziedzic and Clausen introduced--**

**S.F. No. 2022:** A bill for an act relating to higher education; changing program parameters for the child care grant program; amending Minnesota Statutes 2016, section 136A.125, subdivisions 2, 4.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Abeler introduced--**

**S.F. No. 2023:** A bill for an act relating to health; requiring the commissioner of health to provide grants for the purchase and distribution of prescription drug deactivation and disposal products; appropriating money.

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

**Senator Eichorn introduced--**

**S.F. No. 2024:** A bill for an act relating to taxation; sales and use; providing an exemption for construction materials for the Second Harvest Heartland distribution facility; amending Minnesota Statutes 2016, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2.

Referred to the Committee on Taxes.

**Senator Dibble introduced--**

**S.F. No. 2025:** A bill for an act relating to natural resources; establishing process to rename certain water bodies; amending Minnesota Statutes 2016, section 83A.05, subdivision 1, by adding a subdivision.

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



**Senator Dzedzic introduced--**

**S.F. No. 2026:** A bill for an act relating to data practices; modifying the definition of electronic access data to exclude government employees; amending Minnesota Statutes 2016, section 13.15, subdivision 1.

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

**Senator Koran introduced--**

**S.F. No. 2027:** A bill for an act relating to taxation; individual income; allowing a subtraction for Social Security benefits; amending Minnesota Statutes 2016, sections 290.0132, by adding a subdivision; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Utke, Latz, Abeler, Isaacson, and Lourey introduced--**

**S.F. No. 2028:** A bill for an act relating to insurance; requiring parity between mental health benefits and other medical benefits; defining mental health and substance use disorder; requiring health plan transparency; requiring accountability from the commissioners of health and commerce; amending Minnesota Statutes 2016, sections 62Q.01, by adding subdivisions; 62Q.47.

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

**Senator Little introduced--**

**S.F. No. 2029:** A bill for an act relating to motor vehicles; amending registration tax and operation in managed lanes for certain electric vehicles; amending Minnesota Statutes 2016, sections 160.93, by adding a subdivision; 168.013, subdivision 1a, by adding a subdivision; 169.011, subdivision 26a, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Dzedzic and Nelson introduced--**

**S.F. No. 2030:** A bill for an act relating to economic development; appropriating money for loans to small businesses run by East African women.

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

**Senator Ruud introduced--**

**S.F. No. 2031:** A bill for an act relating to natural resources; appropriating money for Minnesota Aquatic Invasive Species Research Center.

Referred to the Committee on Environment and Natural Resources Finance.

**Senator Ruud introduced--**

**S.F. No. 2032:** A bill for an act relating to environment; modifying landfill cleanup program; amending Minnesota Statutes 2016, sections 115B.41, subdivisions 1, 2; 115B.42, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 115B.

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

**Senator Dibble introduced--**

**S.F. No. 2033:** A bill for an act relating to civil actions; regulating defamation actions; providing for requests for corrections or clarifications; proposing coding for new law as Minnesota Statutes, chapter 553A.

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

**Senators Abeler and Westrom introduced--**

**S.F. No. 2034:** A bill for an act relating to health care; creating a demonstration project to allow county-based purchasing plans to sell health plans in the individual and small group markets; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

**Senator Hoffman introduced--**

**S.F. No. 2035:** A bill for an act relating to health; appropriating money for statewide parent-to-parent programs for families with a child with special health care needs.

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

**Senator Schoen introduced--**

**S.F. No. 2036:** A bill for an act relating to transportation; governing speed limits in Hastings; establishing a moratorium; requiring a legislative report.

Referred to the Committee on Transportation Finance and Policy.

**Senator Dibble introduced--**

**S.F. No. 2037:** A bill for an act relating to data privacy; prohibiting access by a government entity to electronic communication held by a service provider or other third party unless certain procedures are followed; providing certain limits on data retention; providing remedies; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 626A.

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

**Senator Dibble introduced--**

**S.F. No. 2038:** A bill for an act relating to data privacy; protecting applicant's and employee's personal usernames and passwords from access by employers; providing for civil enforcement; proposing coding for new law in Minnesota Statutes, chapter 181.

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

**Senator Utke introduced--**

**S.F. No. 2039:** A bill for an act relating to taxation; sales and use; providing an exemption for purchases used in providing transportation and public transit services; amending Minnesota Statutes 2016, sections 297A.70, by adding a subdivision; 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2, 3; 297B.03.

Referred to the Committee on Taxes.

**Senator Newman introduced--**

**S.F. No. 2040:** A bill for an act relating to environment; providing for labeling of certain nonwoven disposable products; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

**Senator Newman introduced--**

**S.F. No. 2041:** A bill for an act relating to taxation; property; exempting charter schools renting property from private individuals from property tax; amending Minnesota Statutes 2016, section 272.02, subdivision 42.

Referred to the Committee on Taxes.

**Senators Miller and Goggin introduced--**

**S.F. No. 2042:** A bill for an act relating to higher education; providing representation requirements for the Minnesota State Colleges and Universities search advisory committees; amending Minnesota Statutes 2016, section 136F.40, by adding a subdivision.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Rest introduced--**

**S.F. No. 2043:** A bill for an act relating to aeronautics; providing for registration of unmanned aircraft; amending Minnesota Statutes 2016, sections 360.013, by adding subdivisions; 360.55, by adding a subdivision; 360.62.

Referred to the Committee on Transportation Finance and Policy.

**Senator Lang introduced--**

**S.F. No. 2044:** A bill for an act relating to construction licensing; modifying employment requirements for unlicensed individuals and journeyman electricians; amending Minnesota Statutes 2016, section 326B.33, subdivisions 2, 12.

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

**Senators Anderson, P.; Eichorn; and Draheim introduced--**

**S.F. No. 2045:** A bill for an act relating to higher education; creating workforce development scholarships; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136F.

Referred to the Committee on Higher Education Finance and Policy.

**Senators Abeler and Eaton introduced--**

**S.F. No. 2046:** A bill for an act relating to state government; appropriating money for Dakota and Ojibwe Indian language, education, and immersion programs and Why Treaties Matter Exhibit.

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

**Senator Frentz introduced--**

**S.F. No. 2047:** A bill for an act relating to economic development; appropriating money for entrepreneurial development; requiring a report.

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

**Senator Ingebrigtsen introduced--**

**S.F. No. 2048:** A bill for an act relating to legislative salaries; creating a standing appropriation; proposing coding for new law in Minnesota Statutes, chapter 15A.

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

**Senators Simonson, Champion, Schoen, and Dibble introduced--**

**S.F. No. 2049:** A bill for an act relating to employment; limiting reliance on criminal history for employment purposes; amending Minnesota Statutes 2016, sections 181.53; 181.981, subdivision 1; 364.02, subdivisions 4, 6; 364.03; 364.04; 364.05; 364.06, subdivision 2; 364.07.

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

**Senator Hayden introduced--**

**S.F. No. 2050:** A bill for an act relating to health; appropriating money for grants to prevent opioid overdoses in Minnesota's American Indian communities.

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

**Senator Relph introduced--**

**S.F. No. 2051:** A bill for an act relating to child care; modifying access to education data; appropriating money for the at-home infant child care program; modifying welfare system terminology and definition; amending Minnesota Statutes 2016, sections 13.32, by adding a subdivision; 13.46, subdivisions 1, 2; 13.84, subdivision 5; 626.556, subdivision 10j; repealing Minnesota Statutes 2016, section 13.468.

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

**Senator Cohen introduced--**

**S.F. No. 2052:** A bill for an act relating to redistricting; establishing a redistricting commission; proposing coding for new law in Minnesota Statutes, chapter 2.

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

**Senator Osmek introduced--**

**S.F. No. 2053:** A bill for an act relating to taxation; sales and use; authorizing the city of Excelsior to impose a local sales and use tax.

Referred to the Committee on Taxes.

**Senator Osmek introduced--**

**S.F. No. 2054:** A bill for an act relating to energy; exempting certain cooperative electric associations and municipal utilities from participation in the state energy conservation program; amending Minnesota Statutes 2016, section 216B.241, subdivisions 1b, 1c, 2, 5, 5d, 7.

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

**Senator Osmek introduced--**

**S.F. No. 2055:** A bill for an act relating to energy; amending the prohibition on new sources of fossil-fuel generated electricity to include only those sources constructed in Minnesota; amending Minnesota Statutes 2016, section 216H.03, subdivisions 3, 4, 7.

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

**Senator Eken introduced--**

**S.F. No. 2056:** A bill for an act relating to the city of Moorhead; extending the five-year rule for a tax increment financing district.

Referred to the Committee on Taxes.

**Senator Torres Ray introduced--**

**S.F. No. 2057:** A bill for an act relating to workforce development; appropriating funds to Community Priority One for job training, job referrals, and housing assistance.

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

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

**S.F. No. 2058:** A bill for an act relating to construction codes; modifying compliance with elevator codes for fourth-class cities; amending Minnesota Statutes 2016, section 326B.188.

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

**Senators Marty, Eken, and Lourey introduced--**

**S.F. No. 2059:** A bill for an act relating to agriculture; appropriating money for organic agriculture transition grants.

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

**Senator Senjem introduced--**

**S.F. No. 2060:** A bill for an act relating to state government; prohibiting members and employees of the Minnesota Sports Facilities Authority and the Minnesota Ballpark Authority from giving gifts to certain officials; amending Minnesota Statutes 2016, section 10A.071, subdivisions 2, 3.

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

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 2061:** A bill for an act relating to taxation; minerals; modifying apportionment of occupation taxes; amending Minnesota Statutes 2016, section 298.17.

Referred to the Committee on Taxes.

**Senator Benson introduced--**

**S.F. No. 2062:** A bill for an act relating to human services; repealing MinnesotaCare; amending Minnesota Statutes 2016, sections 256.98, subdivision 1; 256B.021, subdivision 4; 270A.03, subdivision 5; 270B.14, subdivision 1; repealing Minnesota Statutes 2016, sections 13.461, subdivision 26; 16A.724, subdivisions 3, 4; 62A.046, subdivision 5; 256L.01, subdivisions 1, 1a, 1b, 2, 3, 3a, 5, 6, 7; 256L.02, subdivisions 1, 2, 5, 6; 256L.03, subdivisions 1, 1a, 1b, 2, 3, 3a, 3b, 4, 4a, 5, 6; 256L.04, subdivisions 1, 1a, 1c, 2, 7, 7a, 7b, 10, 12, 13, 14; 256L.05, subdivisions 1, 1a, 2, 2a, 3, 3a, 4, 6; 256L.06, subdivision 3; 256L.07, subdivisions 1, 2, 3, 4; 256L.09, subdivisions 1, 2, 4, 5, 6, 7; 256L.10; 256L.11, subdivisions 1, 2, 2a, 3, 4, 7; 256L.12; 256L.121; 256L.15, subdivisions 1, 1a, 1b, 2; 256L.18.

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

**Senator Dzedzic introduced--**

**S.F. No. 2063:** A bill for an act relating to economic development; capital improvements; creating a state research and development authority; establishing a research and development fund; authorizing the sale and issuance of state bonds; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116W.

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

**Senators Draheim, Goggin, and Lang introduced--**

**S.F. No. 2064:** A bill for an act relating to construction codes; modifying accessibility requirements for public buildings; amending Minnesota Statutes 2016, section 326B.106, subdivision 9.

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

**Senator Relph introduced--**

**S.F. No. 2065:** A bill for an act relating to transportation; requiring a noise barrier on a segment of marked Trunk Highway 15 in St. Cloud.

Referred to the Committee on Transportation Finance and Policy.

**Senators Miller, Abeler, Lourey, and Housley introduced--**

**S.F. No. 2066:** A bill for an act relating to human services; increasing payment rates for direct support services; appropriating money.

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

**Senators Miller, Abeler, Lourey, Pappas, and Ingebrigtsen introduced--**

**S.F. No. 2067:** A bill for an act relating to state government; ratifying a labor agreement for individual providers of direct support services.

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

**Senator Kiffmeyer introduced--**

**S.F. No. 2068:** A bill for an act relating to elections; providing a deadline for entering certain voter registration application data into the statewide voter registration system; amending Minnesota Statutes 2016, section 201.121, subdivision 1.

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

**Senator Kiffmeyer introduced--**

**S.F. No. 2069:** A bill for an act relating to local government; modifying the manner of compensation for examiner and deputy examiner of titles in Sherburne County; amending Minnesota Statutes 2016, section 508.12, subdivision 1.

Referred to the Committee on Local Government.

**Senator Nelson introduced--**

**S.F. No. 2070:** A bill for an act relating to human services; providing an external fixed costs payment rate exemption for a facility in Olmsted County; providing an exception to maximum charges; amending Minnesota Statutes 2016, section 256R.53, by adding a subdivision.

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

**Senators Ingebrigtsen and Rest introduced--**

**S.F. No. 2071:** A bill for an act relating to elections; authorizing jurisdictions to adopt ranked-choice voting; establishing procedures for adoption, implementation, and use of ranked-choice voting; authorizing rulemaking; amending Minnesota Statutes 2016, sections 205.13, subdivision 2; 206.83; 206.89, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 204E.

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

**Senator Bakk introduced--**

**S.F. No. 2072:** A bill for an act relating to local government; allowing town electors to authorize financial assistance to a school; amending Minnesota Statutes 2016, section 365.10, by adding a subdivision.

Referred to the Committee on Local Government.

**Senator Dzedzic introduced--**

**S.F. No. 2073:** A bill for an act relating to property tax refunds; modifying the schedules for the homestead credit state refund and the property tax refund for renters; amending Minnesota Statutes 2016, section 290A.04, subdivisions 2, 2a, 4.

Referred to the Committee on Taxes.

**Senators Dzedzic and Rest introduced--**

**S.F. No. 2074:** A bill for an act relating to transportation; providing for railroad and pipeline transportation incident preparedness, information availability, training, coordination, and inspections; modifying assessments; providing for data practices; making technical changes; requiring a report; amending Minnesota Statutes 2016, sections 13.6905, by adding a subdivision; 115E.042, subdivisions 2, 3, 4, 5, 6; 219.015; 299A.55; proposing coding for new law in Minnesota Statutes, chapter 219.



Referred to the Committee on Transportation Finance and Policy.

**Senator Osmek introduced--**

**S.F. No. 2075:** A bill for an act relating to workforce development; appropriating money for job skills training for recently released inmates.

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

**Senators Franzen, Senjem, Lourey, Housley, and Abeler introduced--**

**S.F. No. 2076:** A bill for an act relating to health; appropriating money for advanced care planning on end-of-life care choices.

Referred to the Committee on Aging and Long-term Care Policy.

**Senator Bakk introduced--**

**S.F. No. 2077:** A bill for an act relating to state government; transferring the duties of the Minnesota Historical Preservation Office to the Department of Administration; requiring a report; appropriating money; amending Minnesota Statutes 2016, section 138.081.

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

**Senator Dahms introduced--**

**S.F. No. 2078:** A bill for an act relating to commerce; appropriating money to the Department of Commerce for insurance regulation.

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

**Senator Ruud introduced--**

**S.F. No. 2079:** A bill for an act relating to game and fish; modifying blaze orange hunting requirements to allow blaze pink; amending Minnesota Statutes 2016, section 97B.071.

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

**Senators Wiklund and Abeler introduced--**

**S.F. No. 2080:** A bill for an act relating to child care; appropriating money for a pilot program creating two women-run cooperative child care businesses in low-income urban areas; requiring reports.

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

**Senators Wiklund, Lourey, Housley, and Abeler introduced--**

**S.F. No. 2081:** A bill for an act relating to human services; requiring the commissioner of human services to design and implement a program to support adoptive, foster, and kinship families; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256N.

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

**Senator Wiklund introduced--**

**S.F. No. 2082:** A bill for an act relating to human services; requiring oversight and training of family child care licensors; requiring the commissioner to develop a training curriculum; amending Minnesota Statutes 2016, section 245A.16, subdivision 6, by adding a subdivision.

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

**Senators Relph and Mathews introduced--**

**S.F. No. 2083:** A bill for an act relating to community development; establishing a central Minnesota opportunity 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 Mathews introduced--**

**S.F. No. 2084:** A bill for an act relating to economic development; appropriating money for an industrial park development in Sherburne County.

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

**Senators Pappas, Dziejic, Dibble, and Marty introduced--**

**S.F. No. 2085:** A bill for an act relating to State Board of Investment; mandating a report on the impact of climate change on the fossil fuel investments currently held by the State Board of Investment.

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

**Senators Jensen and Hayden introduced--**

**S.F. No. 2086:** A bill for an act relating to capital investment; appropriating money for a regional residential crisis stabilization services clinic in Chaska; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jensen introduced--**

**S.F. No. 2087:** A bill for an act relating to human services; requiring the commissioner of human services to award dental services grants; appropriating money.

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

**Senator Dibble introduced--**

**S.F. No. 2088:** A bill for an act relating to liquor; authorizing the city of St. Paul to issue a temporary on-sale intoxicating liquor license on the grounds of the State Capitol on the day of the Twin Cities Marathon; amending Laws 1999, chapter 202, section 13, as amended.

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

**Senator Pratt introduced--**

**S.F. No. 2089:** A bill for an act relating to education; state government; modifying Department of Education data auditing procedures; providing for rulemaking; amending Minnesota Statutes 2016, section 127A.41, subdivision 3.

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

**Senators Nelson, Jasinski, and Koran introduced--**

**S.F. No. 2090:** A bill for an act relating to economic development; appropriating money for sustainable child care in rural Minnesota.

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

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

**S.F. No. 2091:** A bill for an act relating to motor vehicles; exempting certain emergency vehicles from motor vehicle size, weight, and load restrictions; making technical changes; amending Minnesota Statutes 2016, sections 169.80, subdivision 1; 169.829, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senator Draheim introduced--**

**S.F. No. 2092:** A bill for an act relating to local government; providing for biennial notice and referendum on whether a municipality may use public utility license, permit, rights, or franchise fees to raise revenue; amending Minnesota Statutes 2016, section 216B.36.

Referred to the Committee on Local Government.

**Senator Lang introduced--**

**S.F. No. 2093:** A bill for an act relating to transportation; providing for grants for freight railroad preservation and improvement; appropriating money; amending Minnesota Statutes 2016, section 222.50, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Nelson and Koran introduced--**

**S.F. No. 2094:** A bill for an act relating to education finance; increasing funding for special education activities; appropriating money; amending Minnesota Statutes 2016, sections 125A.76, subdivisions 1, 2a, 2c; 125A.79, subdivision 5; repealing Minnesota Statutes 2016, sections 125A.75, subdivision 7; 125A.76, subdivision 2b.

Referred to the Committee on E-12 Finance.

**Senators Nelson, Koran, and Jasinski introduced--**

**S.F. No. 2095:** A bill for an act relating to education finance; increasing school district referendum equalization aid; increasing school district debt service equalization aid; amending Minnesota Statutes 2016, sections 123B.53, subdivision 4; 126C.17, subdivision 6.

Referred to the Committee on E-12 Finance.

**MOTIONS AND RESOLUTIONS**

Senator Newton moved that the name of Senator Little be added as a co-author to S.F. No. 861. The motion prevailed.

Senator Nelson moved that the name of Senator Hoffman be added as a co-author to S.F. No. 1010. The motion prevailed.

Senator Pratt moved that the name of Senator Eichorn be added as a co-author to S.F. No. 1112. The motion prevailed.

Senator Franzen moved that the names of Senators Clausen, Laine, and Wiklund be added as co-authors to S.F. No. 1160. The motion prevailed.

Senator Klein moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 1369. The motion prevailed.

Senator Goggin moved that the name of Senator Sparks be added as a co-author to S.F. No. 1414. The motion prevailed.

Senator Hawj moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 1427. The motion prevailed.

Senator Clausen moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1444. The motion prevailed.

Senator Abeler moved that the names of Senators Kiffmeyer and Lourey be added as co-authors to S.F. No. 1509. The motion prevailed.

Senator Anderson, P. moved that the name of Senator Champion be added as a co-author to S.F. No. 1522. The motion prevailed.

Senator Abeler moved that the name of Senator Nelson be added as a co-author to S.F. No. 1581. The motion prevailed.

Senator Ruud moved that the name of Senator Hawj be added as a co-author to S.F. No. 1694. The motion prevailed.

Senator Koran moved that the name of Senator Laine be added as a co-author to S.F. No. 1837. The motion prevailed.

Senator Marty moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1854. The motion prevailed.

Senator Marty moved that the name of Senator Relph be added as a co-author to S.F. No. 1855. The motion prevailed.

Senator Dibble moved that the names of Senators Franzen, Kent, and Carlson be added as co-authors to S.F. No. 1857. The motion prevailed.

Senator Ruud moved that the name of Senator Sparks be added as a co-author to S.F. No. 1872. The motion prevailed.

Senator Nelson moved that the names of Senators Eichorn and Draheim be added as co-authors to S.F. No. 1885. The motion prevailed.

Senator Osmek moved that the names of Senators Clausen and Pratt be added as co-authors to S.F. No. 1892. The motion prevailed.

Senator Fischbach moved that the name of Senator Simonson be added as a co-author to S.F. No. 1915. The motion prevailed.

Senator Dibble moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1974. The motion prevailed.

Senator Marty moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1975. The motion prevailed.

Senator Eken moved that the name of Senator Marty be added as a co-author to S.F. No. 1978. The motion prevailed.

Senator Laine moved that the name of Senator Wiger be added as a co-author to S.F. No. 1991. The motion prevailed.

Senator Laine moved that the name of Senator Wiger be added as a co-author to S.F. No. 1992. The motion prevailed.

Senator Dibble moved that the name of Senator Jensen be added as a co-author to S.F. No. 2011. The motion prevailed.

Senator Ruud moved that S.F. No. 672 be withdrawn from the Committee on State Government Finance and Policy and Elections and re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

**Senators Dziedzic and Hayden introduced --**

**Senate Resolution No. 56:** A Senate resolution honoring "Sports-Check It Out" for winning the SAP Social Innovation Series Teen Innovator top prize.

Referred to the Committee on Rules and Administration.

**RECESS**

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

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

**MOTIONS AND RESOLUTIONS - CONTINUED**

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

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 5.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 13, 2017

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 5:** A bill for an act relating to insurance; health; regulating certain data practices of the premium subsidy program; creating a state-operated reinsurance program; appropriating money; amending Minnesota Statutes 2016, sections 62E.10, subdivision 2; 62E.11, subdivisions 5, 6;

28TH DAY]

MONDAY, MARCH 13, 2017

1375

297I.05, subdivisions 5, 13; Laws 2017, chapter 2, article 1, section 2, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62E; repealing Laws 2013, chapter 9, section 15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 720, now on General Orders.

#### **MEMBERS EXCUSED**

Senators Carlson, Franzen, Isaacson, Latz, Limmer, Lourey, Simonson, and Sparks were excused from the Session of today. Senator Cohen was excused from the Session of today at 6:30 p.m.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 12:00 noon, Tuesday, March 14, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

