

FORTY-FIFTH DAY

St. Paul, Minnesota, Thursday, April 20, 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, Rev. J. Michael Byron.

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 605: A bill for an act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, retirement funds; cancellation of certain appropriations; precluding agencies from transferring money to the governor's office for services; constraining the state auditor's use of funds for litigation expenses; requiring the state auditor to reimburse Wright, Becker, and Ramsey Counties for litigation expenses; limiting the state auditor's rates for 2017; requiring legislative approval for certain rules; making an ALJ decision the final decision in contested cases; creating an affirmative defense to certain rule violations; modifying the employee gainsharing program; requiring the Department of Administration to assess agencies for certain services; requiring the Office of MN.IT Services to report its project portfolio to the legislature; limiting severance pay for highly paid civil service employees; permitting state employees to opt out of insurance coverage under SEGIP; limiting public employer compensation under contracts to appropriated amounts; modifying uses for Support Our Troops account; requiring the Department of Veterans Affairs to develop a policy to grant free or reduced-cost burials in state veterans cemeteries to eligible indigent dependents of veterans; providing statutory appropriations to the Racing Commission in the event of a failure to pass a biennial appropriation; raising caps on Mighty Ducks grants; modifying expense calculation for the State Lottery; creating an advisory task force on fiscal notes; setting a deadline for consolidation of state information technology and for use of cloud-based solutions; creating a legislative commission to review consolidation of the state's information technology; establishing requirements for a grandfathered license for eyelash technicians; creating a working group for a rules status system; creating a grant program for election equipment; repealing the state auditor enterprise fund; repealing the campaign finance public subsidy program; repealing lottery payouts to people under 18; amending Minnesota Statutes 2016, sections 4.46; 6.481, subdivision 6; 6.56, subdivision 2; 6.581, subdivision 4; 14.18, subdivision 1; 14.27; 14.389, subdivision 3; 14.57; 16A.90; 16B.055, subdivision 1; 16B.371; 16B.4805, subdivisions 2, 4; 16E.0466; 43A.17, subdivision 11; 43A.24, by adding a subdivision; 155A.23, subdivisions 10, 15, 16, by adding a subdivision; 155A.29, subdivisions 1, 2; 155A.30, subdivisions 2, 5; 179A.20, by adding a subdivision; 190.19, subdivisions 2, 2a; 197.236, subdivision 9; 240.15, subdivision 6; 240.155, subdivision 1; 240A.09; 349A.08, subdivision 2; 349A.10, subdivision 6; Laws 2016, chapter 127, section 8; proposing coding for new law in Minnesota Statutes, chapters 6; 14; 16A; 240; repealing Minnesota Statutes 2016, sections 6.581, subdivision 1; 10A.30; 10A.31, subdivisions 1, 3, 3a, 4, 5, 5a, 6, 6a, 7, 7a, 10, 10a, 10b, 11; 10A.315; 10A.321; 10A.322, subdivisions 1, 2, 4; 10A.323; 155A.23, subdivision 8; 349A.08, subdivision 3.

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

Anderson, S.; O'Driscoll; Dettmer; Fenton and Nash.

Senate File No. 605 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 18, 2017

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 780: A bill for an act relating to state government; appropriating money for agriculture and housing programs; making changes to programs and policy; establishing a shrimp production incentive program; establishing a wolf-livestock conflict prevention pilot program; requiring reports; amending Minnesota Statutes 2016, sections 17.119, subdivisions 1, 2; 18.79, subdivision 18; 18B.03, by adding a subdivision; 41A.20, subdivision 2; 299F.01, by adding a subdivision; 327C.01, by adding a subdivision; 462A.2035; proposing coding for new law in Minnesota Statutes, chapters 41A; 327C; repealing Minnesota Statutes 2016, section 41A.20, subdivision 6.

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

Hamilton; Anderson, P.; Lueck; Backer and Poppe.

Senate File No. 780 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 18, 2017

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 800: A bill for an act relating to human services finance and policy; appropriating money for human services and health-related programs; modifying various provisions governing community supports, housing, continuing care, health care, managed care organizations, health insurance, direct care and treatment, children and families, chemical and mental health services, Department of Human Services operations, Department of Health policy, and health licensing boards; establishing a license for substance abuse disorder treatment; authorizing transfers; providing for supplemental rates; modifying reimbursement rates and premium scales; making forecast adjustments; providing for audits; establishing crumb rubber playground moratorium; authorizing pilot projects and studies; requiring reports; establishing a legislative commission; making technical and terminology changes; amending Minnesota Statutes 2016, sections 3.972, by adding a subdivision; 13.32, by adding a subdivision; 13.46, subdivisions 1, 2, 4; 13.69, subdivision 1; 13.84, subdivision 5; 62A.04, subdivision 1; 62A.21, subdivision 2a; 62A.3075; 62D.105, subdivisions 1, 2; 62E.04, subdivision 11; 62E.05, subdivision 1; 62E.06, by adding a subdivision; 62M.07; 62U.02; 62V.05, subdivision 12; 103I.101, subdivisions 2, 5; 103I.111, subdivisions 6, 7, 8; 103I.205; 103I.301; 103I.501; 103I.505; 103I.515; 103I.535, subdivisions 3, 6, by adding a subdivision; 103I.541; 103I.545, subdivisions 1, 2; 103I.711, subdivision 1; 103I.715, subdivision 2; 119B.011, by adding subdivisions; 119B.02, subdivision 5; 119B.09, subdivision 9a; 119B.125, subdivisions 4, 6; 119B.13, subdivisions 1, 6; 119B.16, subdivisions 1, 1a, 1b, by adding subdivisions; 144.05, subdivision 6; 144.0724, subdivisions 4, 6; 144.122; 144.1501, subdivision 2; 144.551, subdivision 1; 144A.071,

subdivision 4d; 144A.351; 144A.472, subdivision 7; 144A.474, subdivision 11; 144A.4799, subdivision 3; 144A.70, subdivision 6, by adding a subdivision; 144D.04, subdivision 2, by adding a subdivision; 144D.06; 145.4716, subdivision 2; 145.986, subdivision 1a; 146B.02, subdivisions 2, 5, 8, by adding subdivisions; 146B.03, subdivisions 6, 7; 146B.07, subdivision 4; 146B.10, subdivision 1; 147.01, subdivision 7; 147.02, subdivision 1; 147.03, subdivision 1; 147B.08, by adding a subdivision; 147C.40, by adding a subdivision; 148.5194, subdivision 7; 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; 157.16, subdivision 1; 214.01, subdivision 2; 245.4889, subdivision 1; 245.91, subdivisions 4, 6; 245.97, subdivision 6; 245A.02, subdivision 2b, by adding a subdivision; 245A.03, subdivisions 2, 7; 245A.04, subdivision 14; 245A.06, subdivision 2; 245A.07, subdivision 3; 245A.11, by adding subdivisions; 245A.191; 245A.50, subdivision 5; 245D.03, subdivision 1; 245D.04, subdivision 3; 245D.071, subdivision 3; 245D.11, subdivision 4; 245D.24, subdivision 3; 245E.01, by adding a subdivision; 245E.02, subdivisions 1, 3, 4; 245E.03, subdivisions 2, 4; 245E.04; 245E.05, subdivision 1; 245E.06, subdivisions 1, 2, 3; 245E.07, subdivision 1; 252.27, subdivision 2a; 252.41, subdivision 3; 253B.10, subdivision 1; 253B.22, subdivision 1; 254A.01; 254A.02, subdivisions 2, 3, 5, 6, 8, 10, by adding subdivisions; 254A.03; 254A.035, subdivision 1; 254A.04; 254A.08; 254A.09; 254A.19, subdivision 3; 254B.01, subdivision 3, by adding a subdivision; 254B.03, subdivision 2; 254B.04, subdivisions 1, 2b; 254B.05, subdivisions 1, 1a, 5; 254B.051; 254B.07; 254B.08; 254B.09; 254B.12, subdivision 2; 254B.13, subdivision 2a; 256.01, subdivision 41, by adding a subdivision; 256.045, subdivision 3; 256.969, subdivisions 2b, 4b, by adding a subdivision; 256.975, subdivision 7, by adding a subdivision; 256.98, subdivision 8; 256B.04, subdivisions 21, 22; 256B.056, subdivision 5c; 256B.0621, subdivision 10; 256B.0625, subdivisions 3b, 7, 20, 45a, 57, 64, by adding subdivisions; 256B.0659, subdivisions 1, 2, 11, 21, by adding a subdivision; 256B.072; 256B.0755, subdivisions 1, 3, 4, by adding a subdivision; 256B.0911, subdivisions 1a, 3a, 4d, by adding subdivisions; 256B.0915, subdivisions 1, 1a, 3a, 3e, 3h, 5, by adding subdivisions; 256B.092, subdivision 4; 256B.0922, subdivision 1; 256B.0924, by adding a subdivision; 256B.0943, subdivision 13; 256B.0945, subdivisions 2, 4; 256B.196, subdivision 2; 256B.431, subdivisions 10, 16, 30; 256B.434, subdivisions 4, 4f; 256B.49, subdivisions 11, 15; 256B.4913, subdivision 4a, by adding a subdivision; 256B.4914, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 16; 256B.493, subdivisions 1, 2, by adding a subdivision; 256B.50, subdivision 1b; 256B.5012, by adding a subdivision; 256B.69, subdivision 9e; 256B.76, subdivisions 1, 2; 256B.766; 256B.85, subdivisions 3, 5, 6; 256C.23, subdivision 2, by adding subdivisions; 256C.233, subdivisions 1, 2; 256C.24, subdivisions 1, 2, by adding a subdivision; 256C.261; 256D.44, subdivisions 4, 5; 256E.30, subdivision 2; 256I.03, subdivision 8; 256I.04, subdivisions 1, 2d, 2g, 3; 256I.05, subdivisions 1a, 1c, 1e, 1j, 1m, 8, by adding subdivisions; 256I.06, subdivisions 2, 8; 256J.24, subdivision 5; 256J.45, subdivision 2; 256L.03, subdivisions 1, 1a, 5; 256L.15, subdivision 2; 256P.06, subdivision 2; 256R.02, subdivisions 4, 18; 256R.07, by adding a subdivision; 256R.10, by adding a subdivision; 256R.37; 256R.40, subdivision 5; 256R.41; 256R.47; 256R.49, subdivision 1; 260C.451, subdivision 6; 317A.811, subdivision 1, by adding a subdivision; 327.15, subdivision 3; 609.5315, subdivision 5c; 626.556, subdivisions 2, 3, 3c, 10d, 10j; Laws 2009, chapter 101, article 1, section 12; Laws 2012, chapter 247, article 6, section 2, subdivision 2; Laws 2013, chapter 108, article 15, section 2, subdivision 2; Laws 2014, chapter 312, article 23, section 9, subdivision 8, by adding a subdivision; Laws 2015, chapter 71, article 14, section 3, subdivision 2, as amended; Laws 2017, chapter 2, article 1, sections 1, subdivision 3; 2, subdivision 4, by adding a subdivision; 3; 5; 7; article 2, section 13; proposing coding for new law in Minnesota Statutes, chapters 62J; 62K; 62Q; 119B; 144; 144D; 145; 147A;

148; 245; 245A; 256; 256B; 256I; 256N; 256R; 317A; 448; proposing coding for new law as Minnesota Statutes, chapters 144H; 245G; repealing Minnesota Statutes 2016, sections 13.468; 147A.21; 147B.08, subdivisions 1, 2, 3; 147C.40, subdivisions 1, 2, 3, 4; 148.6402, subdivision 2; 148.6450; 245A.1915; 245A.192; 254A.02, subdivision 4; 256B.0659, subdivision 22; 256B.19, subdivision 1c; 256B.4914, subdivision 16; 256B.64; 256C.23, subdivision 3; 256C.233, subdivision 4; 256C.25, subdivisions 1, 2; 256J.626, subdivision 5; Laws 2014, chapter 312, article 23, section 9, subdivision 5; Minnesota Rules, parts 5600.2500; 9530.6405, subparts 1, 1a, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 15a, 16, 17, 17a, 17b, 17c, 18, 20, 21; 9530.6410; 9530.6415; 9530.6420; 9530.6422; 9530.6425; 9530.6430; 9530.6435; 9530.6440; 9530.6445; 9530.6450; 9530.6455; 9530.6460; 9530.6465; 9530.6470; 9530.6475; 9530.6480; 9530.6485; 9530.6490; 9530.6495; 9530.6500; 9530.6505.

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

Dean, M.; Schomacker; Albright; Kiel and Schultz.

Senate File No. 800 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 18, 2017

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 803: A bill for an act relating to public safety; appropriating money for public safety, courts, corrections, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, Sentencing Guidelines, Peace Officer Standards and Training (POST) Board, Private Detective Board, and Human Rights; lowering certain court-related fees; amending Minnesota Statutes 2016, sections 13.69, subdivision 1; 271.21, subdivision 2; 357.021, subdivision 2; 609.748, subdivision 3a.

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

Cornish; Johnson, B.; Zerwas; Scott and Hilstrom.

Senate File No. 803 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 18, 2017

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1937: A bill for an act relating to state government; appropriating money for commerce, energy, labor and industry, and employment and economic development; making policy and technical changes; modifying fees; requiring reports; amending regulation of municipal electric utilities and rural electric cooperatives; modifying telecommunications provisions; modifying the solar energy standard; amending resource planning requirements; establishing a task force; establishing a youth skills training program; modifying water conditioning installation requirements; modifying job creation fund requirements for certain businesses; providing a onetime exception to restrictions on use of Minnesota investment fund repayments; creating the getting to work grant program; amending Minnesota Statutes 2016, sections 45.0135, subdivision 6; 46.131, subdivision 7, by adding a subdivision; 53B.11, subdivision 1; 58.10, subdivision 1; 65B.84, subdivision 1; 80A.65, subdivision 2; 116J.395, subdivision 7; 116J.8731, subdivision 2, by adding a subdivision; 116J.8748, subdivisions 1, 3, 4, 6; 116L.17, subdivision 1; 116L.665; 116M.14, subdivision 4; 116M.17, subdivision 4; 116M.18, subdivisions 1a, 4, 4a, 8; 175.45; 216B.164, subdivisions 5, 9, by adding a subdivision; 216B.1691, subdivision 2f; 216B.1694, subdivision 3; 216B.2422, subdivisions 2, 4; 216B.62, subdivision 3b; 216C.435, by adding a subdivision; 237.01, by adding subdivisions; 237.295, by adding a subdivision; 239.101, subdivision 2; 297I.11, subdivision 2; 326B.092, subdivision 7; 326B.153, subdivision 1; 326B.37, by adding subdivisions; 326B.435, subdivision 2; 326B.50, subdivision 3, by adding subdivisions; 326B.55, subdivisions 2, 4; 326B.89, subdivisions 1, 5; Laws 2015, First Special Session chapter 1, article 1, sections 2, subdivision 6; 5, subdivision 2; Laws 2016, chapter 189, article 7, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 175; 237; 326B; repealing Minnesota Statutes 2016, sections 46.131, subdivision 5; 326B.89, subdivision 14; Minnesota Rules, parts 4355.0100; 4355.0200; 4355.0300; 4355.0400; 4355.0500.

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

Garofalo, Newberger, Hoppe, O'Neill and Mahoney.

Senate File No. 1937 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 18, 2017

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2214: A bill for an act relating to higher education; providing funding and policy changes for the Office of Higher Education, the Minnesota State Colleges and Universities, the University of Minnesota, and other related programs; modifying state grant program calculation parameters; requiring reports; appropriating money; amending Minnesota Statutes 2016, sections 135A.031, subdivision 7; 135A.15, subdivision 1a; 136A.101, subdivision 5a; 136A.125, subdivisions 2, 4; 136A.1275; 136A.685; 148.89, subdivision 5; Laws 2014, chapter 312, article 1, section 15; proposing coding for new law in Minnesota Statutes, chapters 136A; 148; 298.

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

Nornes, Christensen, Daniels, Whelan and Omar.

Senate File No. 2214 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 18, 2017

REPORTS OF COMMITTEES

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

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

S.F. No. 815: A bill for an act relating to health licensing; making the medical faculty license permanent; appropriating money; repealing Minnesota Statutes 2016, section 147.0375, subdivision 7.

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

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

S.F. No. 396: A bill for an act relating to capital investment; exempting the Lanesboro dam project from a nonstate contribution; amending Laws 2012, chapter 293, section 7, subdivision 3.

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

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

H.F. No. 707: A bill for an act relating to state government; appropriating money from outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; providing for riparian protection aid; modifying requirements for expending money from legacy funds; modifying and extending prior appropriations; requiring reports; amending Minnesota Statutes 2016, sections 16A.127, subdivision 8; 85.53, by adding subdivisions; 97A.056, subdivision 3, by adding subdivisions; 114D.50, subdivision 4, by adding subdivisions; 129D.17, subdivision 4, by adding subdivisions; Laws 2012, chapter 264, article 1, section 2, subdivision 5, as amended; Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, as amended; Laws 2016, chapter 172, article 1, section 2, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapter 477A; repealing Minnesota Statutes 2016, section 97A.056, subdivision 8.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

OUTDOOR HERITAGE FUND

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the outdoor heritage fund for the fiscal year indicated for each purpose. The figures "2018" and "2019" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2018, and June 30, 2019, respectively. The "first year" is fiscal year 2018. The "second year" is fiscal year 2019. The "biennium" is fiscal years 2018 and 2019, respectively. The appropriations in this article are onetime appropriations.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2018</u>	<u>2019</u>

Sec. 2. **OUTDOOR HERITAGE FUND**

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>103,978,000</u>	<u>\$</u>	<u>585,000</u>
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This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.

<u>Subd. 2. Prairies</u>		<u>30,862,000</u>		<u>-0-</u>
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(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase IX

\$4,437,000 the first year is to the commissioner of natural resources to acquire in fee and restore lands for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land

acquisitions must be provided as part of the required accomplishment plan.

(b) Accelerating the Wildlife Management Area Acquisition - Phase IX

\$5,603,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore lands for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Minnesota Prairie Recovery Project - Phase VII

\$1,901,000 the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire land in fee for native prairie, wetland, and savanna and to restore and enhance grasslands, wetlands, and savanna. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. No later than 180 days after The Nature Conservancy's fiscal year ends, The Nature Conservancy must submit to the Lessard-Sams Outdoor Heritage Council annual income statements and balance sheets for income and expenses from land acquired with this appropriation. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities identified in Minnesota Prairie Conservation Plan.

(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase VIII

\$2,683,000 the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements and restore lands in the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan, and the acquisitions must be consistent with the priorities in Minnesota Prairie Conservation Plan.

(e) Cannon River Headwaters Habitat Complex - Phase VII

\$1,436,000 the first year is to the commissioner of natural resources for an agreement with The Trust for Public Land to acquire in fee and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(f) Accelerated Native Prairie Bank Protection - Phase VI

\$2,481,000 the first year is to the commissioner of natural resources to acquire permanent conservation easements to implement the strategies in Minnesota Prairie Conservation Plan to protect and restore

native prairie. Of this amount, up to \$140,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

(g) Reinvest In Minnesota (RIM) Buffers for Wildlife and Water - Phase VII

\$5,333,000 the first year is to the Board of Water and Soil Resources to restore habitat and acquire permanent conservation easements under Minnesota Statutes, section 103F.515, to protect, restore, and enhance habitat by expanding the riparian-buffer program of the clean water fund for at least equal wildlife benefits from buffers on private land. Of this amount, up to \$858,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley - Phase III

\$1,908,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the Minnesota Prairie Chicken Society to acquire land in fee and restore and enhance lands in the southern Red River valley for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or to be designated and managed as waterfowl-production areas in Minnesota in cooperation with the United

States Fish and Wildlife Service. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(i) Accelerated Prairie Restoration and Enhancement on DNR Lands - Phase IX

\$3,950,000 the first year is to the commissioner of natural resources to accelerate restoration and enhancement of prairies, grasslands, and savannas on wildlife management areas, scientific and natural areas, native prairie bank land, bluff prairies on state forest land in southeastern Minnesota, and United States Fish and Wildlife Service waterfowl-production area and refuge lands. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(j) Anoka Sandplain Habitat Restoration and Enhancement - Phase V

\$1,130,000 the first year is to the commissioner of natural resources for agreements to acquire permanent conservation easements and to restore and enhance wildlife habitat on public lands in Anoka, Benton, Isanti, Morrison, and Stearns Counties as follows: \$41,000 is to the Anoka Conservation District, \$231,000 is to the Isanti County Soil and Water Conservation District, \$345,000 is to Great River Greening, \$163,000 is to the Stearns County Soil and Water Conservation District, and \$350,000 is to Minnesota Land Trust. Up to \$40,000 to Minnesota Land Trust is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed

permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

Subd. 3. Forests

16,824,000

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(a) Carnelian Creek Conservation Corridor

\$2,458,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements in Washington County. Of this amount, up to \$30,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements and an annual public hunting and fishing plan must be provided as part of the required accomplishment plan.

(b) Laurentian Forest - St. Louis County Habitat Project

\$2,400,000 the first year is to the commissioner of natural resources for agreements with the Minnesota Deer Hunters Association in cooperation with The Conservation Fund and St. Louis County to acquire land in fee to be transferred to St. Louis County for wildlife habitat purposes. The amount is for agreements as follows: \$2,292,000 to the Minnesota Deer Hunter Association and \$108,000 to The Conservation Fund. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Southeast Minnesota Protection and Restoration - Phase V

\$2,375,000 the first year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8; to acquire land in fee for scientific and natural areas under Minnesota

Statutes, section 86A.05, subdivision 5; to acquire land in fee for state forest purposes under Minnesota Statutes, section 86A.05, subdivision 7; to acquire permanent conservation easements; and to restore and enhance prairie, grassland, forest, and savanna. The amount is for agreements as follows: \$1,000,000 to The Nature Conservancy, \$675,000 to The Trust for Public Land, and \$700,000 to Minnesota Land Trust. Up to \$80,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. No later than 180 days after the The Nature Conservancy's fiscal year ends, The Nature Conservancy must submit to the Lessard-Sams Outdoor Heritage Council annual income statements and balance sheets for income and expenses from land acquired in fee with this appropriation and not transferred to the state or a local governmental unit. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(d) Minnesota Forests for the Future - Phase V

\$2,291,000 the first year is to the commissioner of natural resources to acquire easements for forest, wetland, and shoreline habitat through working forest permanent conservation easements under the Minnesota forests for the future program pursuant to Minnesota Statutes, section 84.66. A conservation easement acquired with money appropriated under this paragraph must comply with Minnesota Statutes, section 97A.056, subdivision 13. The accomplishment plan must include an easement monitoring and enforcement plan. Of this amount, up to \$72,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent

conservation easements must be provided as part of the final report.

(e) State Forest Acquisitions - Phase IV

\$1,000,000 the first year is to the commissioner of natural resources to acquire lands in fee for wildlife habitat purposes in the Richard J. Dorer Memorial Hardwood State Forest under Minnesota Statutes, section 86A.05, subdivision 7. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(f) Critical Shoreland Protection Program - Phase IV

\$1,700,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements along rivers and lakes in the northern forest region. Of this amount, up to \$120,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements must be provided as part of the required accomplishment plan.

(g) Bushmen Lake

\$4,600,000 the first year is to the commissioner of natural resources for an agreement with The Conservation Fund in cooperation with the United States Forest Service to acquire lands in fee adjacent to Bushmen Lake in St. Louis County to be managed for wildlife habitat purposes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

Subd. 4. Wetlands

28,869,000

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(a) Accelerating Waterfowl-Production Area Acquisition - Phase IX

\$5,500,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee and restore and enhance wetlands and grasslands to be designated and managed as waterfowl-production areas in Minnesota in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Shallow Lakes and Wetland Protection Program - Phase VI

\$5,750,000 the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire land in fee and restore prairie lands, wetlands, and land-buffering shallow lakes for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(c) RIM Wetlands Partnership - Phase VIII

\$10,398,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to \$306,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(d) Wild-Rice Shoreland Protection Program - Phase V

\$750,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements on wild-rice lake shoreland habitat for native wild-rice bed protection. Of this amount, up to \$59,000 is for establishing a monitoring

and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report by the Board of Water and Soil Resources.

(e) Accelerated Shallow Lakes and Wetlands Enhancement - Phase IX

\$1,755,000 the first year is to the commissioner of natural resources to enhance and restore shallow lakes and wetland habitat statewide. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(f) Living Shallow Lakes and Wetland Initiative - Phase VI

\$4,716,000 the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to restore and enhance shallow lakes and wetlands on public lands and wetlands under permanent conservation easement for wildlife management purposes. A list of proposed shallow-lake enhancements and wetland restorations must be provided as part of the required accomplishment plan.

Subd. 5. **Habitats**

26,554,000

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(a) Mississippi Headwaters Habitat Corridor Partnership - Phase III

\$1,617,000 the first year is to the commissioner of natural resources to acquire lands in fee and restore wildlife habitat in the Mississippi headwaters and for agreements as follows: \$60,000 to the Mississippi Headwaters Board and \$1,557,000 to The Trust for Public Land. \$779,000 the first year is to the Board of Water and Soil Resources to acquire lands in permanent conservation easements and to restore wildlife habitat. Up to \$59,000 to the Board of Water and Soil Resources is for establishing a monitoring

and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

(b) Fisheries Habitat Protection on Strategic North-Central Minnesota Lakes - Phase III

\$1,716,000 the first year is to the commissioner of natural resources to acquire land in permanent conservation easements to sustain healthy fish habitat on coldwater lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties for agreements as follows: \$113,000 to the Leech Lake Area Watershed Foundation and \$1,603,000 to Minnesota Land Trust. Up to \$120,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the required accomplishment plan.

(c) Goose Prairie

\$600,000 the first year is to the commissioner of natural resources for an agreement with the Wild Rice Watershed District, in cooperation with the Department of Natural Resources, to enhance aquatic and upland habitat in and adjacent to the Goose Prairie Marsh Wildlife Management Area in Clay County. A list of proposed land enhancements must be provided as part of the required accomplishment plan.

(d) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase IX

\$2,403,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore or enhance habitat for trout and other species in and along coldwater rivers, lakes, and streams in Minnesota. A list of

proposed restorations and enhancements must be provided as part of the required accomplishment plan.

(e) DNR Stream Habitat - Phase II

\$2,166,000 the first year is to the commissioner of natural resources to restore and enhance habitat in degraded streams and critical aquatic-species habitat and to facilitate fish passage. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(f) St. Louis River Restoration Initiative - Phase IV

\$3,392,000 the first year is to the commissioner of natural resources to restore aquatic habitats in the St. Louis River estuary. Of this appropriation, up to \$226,000 is for an agreement with Minnesota Land Trust. A list of proposed restorations must be provided as part of the required accomplishment plan.

(g) Shell Rock River Watershed Habitat Restoration Program - Phase VI

\$1,779,000 the first year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire land in fee and restore and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

(h) Lake Wakanda Enhancement Project

\$921,000 the first year is to the commissioner of natural resources for an agreement with Kandiyohi County to enhance aquatic habitat in and adjacent to Lake Wakanda in Kandiyohi County. A list of proposed land enhancements must be provided as part of the required accomplishment plan.

(i) Wolverton Creek Habitat Restoration

\$1,877,000 the first year is to the commissioner of natural resources for an agreement with the Buffalo-Red River Watershed District to acquire permanent conservation easements and restore and enhance aquatic and upland habitat associated with Wolverton Creek in the Buffalo-Red River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

(j) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat - Phase IX

\$9,294,000 the first year is to the commissioner of natural resources for a program to provide competitive matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, up to \$2,660,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants must not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants must not be for projects that have a total project cost exceeding \$575,000. Of the total appropriation, \$634,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner must provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner must, when evaluating projects of equal value, give

priority to organizations that have a history of receiving or a charter to receive private contributions for local conservation or habitat projects. If acquiring land in fee or a conservation easement, priority must be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership, or must be in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2021. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner must provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Subd. 6. Administration

879,000

585,000

(a) Contract Management

\$150,000 the first year is to the commissioner of natural resources for contract management duties assigned in this section. The commissioner must provide an accomplishment plan in the form specified by the Lessard-Sams Outdoor Heritage

Council for expending this appropriation. The accomplishment plan must include a copy of the grant contract template and reimbursement manual. No money may be expended before the Lessard-Sams Outdoor Heritage Council approves the accomplishment plan.

(b) Legislative Coordinating Commission

\$571,000 the first year and \$578,000 the second year is to the Legislative Coordinating Commission for Lessard-Sams Outdoor Heritage Council administrative expenses and for compensating and reimbursing expenses of council members. This appropriation is available until June 30, 2019. Minnesota Statutes, section 16A.281, applies to this appropriation.

(c) Technical Evaluation Panel

\$150,000 the first year is to the commissioner of natural resources for a technical evaluation panel to conduct up to 20 restoration and enhancement evaluations under Minnesota Statutes, section 97A.056, subdivision 10.

(d) Legacy Website

\$8,000 the first year and \$7,000 the second year are to the Legislative Coordinating Commission for the website required in Minnesota Statutes, section 3.303, subdivision 10.

Subd. 7. Appropriation Availability

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Unless otherwise provided, the amounts in this section are available until

June 30, 2020. For acquiring real property, the amounts in this section are available until June 30, 2021, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2020, and closed no later than June 30, 2021. Appropriations for restoration or enhancement are available until June 30, 2022, or five years after acquisition, whichever is later, so that initial restoration or enhancement work can be completed. If a project receives at least 15 percent of its funding from federal funds, the appropriation period may be extended to equal the availability of federal funding to a maximum of six years, provided the federal funding was confirmed and included in the first draft accomplishment plan. Money appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public use facilities must have no more than a minimal impact on habitat in acquired lands.

Subd. 8. Payment Conditions and Capital Equipment Expenditures

All agreements referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures directly related to each appropriation's purpose made on or after July 1, 2017, or the date of accomplishment plan approval, whichever is later, are eligible for reimbursement unless otherwise provided in this section. For the purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund, an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice or binding agreement with the landowner and the recipient attests that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the

items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash-flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items over \$10,000 must be itemized in and approved as part of the accomplishment plan.

Subd. 9. Mapping

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must provide geographic information to the Lessard-Sams Outdoor Heritage Council for mapping any lands acquired in fee with money appropriated in this section and open to public taking of fish and game. The commissioner of natural resources must include the lands acquired in fee with money appropriated in this section on maps showing public recreation opportunities. Maps must include information on and acknowledgment of the outdoor heritage fund, including a notation of any restrictions.

Sec. 3. Minnesota Statutes 2016, section 97A.056, subdivision 1, is amended to read:

Subdivision 1. **Outdoor heritage fund.** (a) An outdoor heritage fund, under article XI, section 15, of the Minnesota Constitution, is established as an account in the state treasury. All money earned by the outdoor heritage fund must be credited to the fund. At least 99 percent of the money appropriated from the fund must be expended to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife. Money appropriated from the outdoor heritage fund shall not be spent to acquire property by eminent domain unless the owner requests that the owner's property be acquired by eminent domain.

(b) Land and interests in land acquired with money from the outdoor heritage fund must comply in all respects with the Minnesota Constitution. All determinations for fee title land acquisition must be based on benefiting all Minnesotans as the outdoor heritage fund is dedicated for all Minnesotans. Lands acquired in fee with appropriations from the outdoor heritage fund must be open to the public

taking of fish and game, unless otherwise provided by law, which is a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good in the same manner as lands owned by the state. On lands acquired in fee by appropriation from the outdoor heritage fund, the right of the people to take fish and game shall not be infringed or impaired by lack of access, lack of opportunity, diminished quality, or as a result of special or exclusive privilege that does not benefit all Minnesotans.

Sec. 4. Minnesota Statutes 2016, section 97A.056, subdivision 15, is amended to read:

Subd. 15. **Land acquisition restrictions.** (a) An interest in real property, including, but not limited to, an easement or fee title, that is acquired with money appropriated from the outdoor heritage fund must be used in perpetuity or for the specific term of an easement interest for the purpose for which the appropriation was made, including the provisions of article XI, section 15; and article XIII, section 12, of the Minnesota Constitution to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife for the benefit of all Minnesotans, and with regard to fee title acquisition to be open to the public taking of fish and game during the open season, unless otherwise provided by law, for the public good and the right of the public to take game and fish on these lands shall not be impaired or diminished in quality or experience directly or indirectly. The ownership of the interest in real property transfers to the state if: (1) the holder of the interest in real property fails to comply with the terms and conditions of the grant agreement or accomplishment plan; ~~or~~ (2) restrictions are placed on the land that preclude its use for the intended purpose as specified in the appropriation; or (3) the right of the people for the benefit of all Minnesotans on land acquired in fee to take fish and game during the open season as provided by law is impaired, restricted, or quality diminished by lack of access, or grant of special or exclusive privilege or franchise or otherwise.

(b) A recipient of funding that acquires an interest in real property subject to this subdivision may not alter the intended use of the interest in real property or convey any interest in the real property acquired with the appropriation without the prior review and approval of the Lessard-Sams Outdoor Heritage Council or its successor. The council shall notify the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the outdoor heritage fund at least 15 business days before approval under this paragraph. The council shall establish procedures to review requests from recipients to alter the use of or convey an interest in real property. These procedures shall allow for the replacement of the interest in real property with another interest in real property meeting the following criteria:

(1) the interest must be at least equal in fair market value, as certified by the commissioner of natural resources, to the interest being replaced; and

(2) the interest must be in a reasonably equivalent location and have a reasonably equivalent useful conservation purpose compared to the interest being replaced, taking into consideration all effects from fragmentation of the whole habitat.

(c) A recipient of funding who acquires an interest in real property under paragraph (a) must separately record a notice of funding restrictions in the appropriate local government office where the conveyance of the interest in real property is filed. The notice of funding agreement must contain:

(1) a legal description of the interest in real property covered by the funding agreement;

(2) a reference to the underlying funding agreement;

(3) a reference to this section; and

(4) the following statement: "This interest in real property shall be administered in accordance with the terms, conditions, and purposes of the grant agreement controlling the acquisition of the property. The interest in real property, or any portion of the interest in real property, shall not be sold, transferred, pledged, or otherwise disposed of or further encumbered without obtaining the prior written approval of the Lessard-Sams Outdoor Heritage Council or its successor. The ownership of the interest in real property transfers to the state if: (1) the holder of the interest in real property fails to comply with the terms and conditions of the grant agreement or accomplishment plan; ~~or~~ (2) restrictions are placed on the land that preclude its use for the intended purpose as specified in the appropriation; or (3) the right to take fish and game during the open season as provided by law is impaired, restricted, or quality diminished by lack of access or grant of special or exclusive privilege or franchise or otherwise."

Sec. 5. Minnesota Statutes 2016, section 97A.056, is amended by adding a subdivision to read:

Subd. 22. **Revenues.** (a) A recipient must disclose to the Lessard-Sams Outdoor Heritage Council and the commissioner all revenues that are received by the recipient before the availability of the appropriation ends and that are generated from activities on land acquired in fee title or easement, restored, or enhanced with money from the outdoor heritage fund. The revenues must be disclosed to the council and commissioner no later than 60 days after the availability of the appropriation ends.

(b) For all revenues disclosed under paragraph (a), a recipient must:

(1) use the revenues to protect, restore, or enhance wetlands, prairies, forests, or habitat for fish, game, or wildlife according to the appropriation purposes and the approved accomplishment plan;

(2) use the revenues for other purposes as approved in the accomplishment plan by the Lessard-Sams Outdoor Heritage Council; or

(3) transfer the revenues to the outdoor heritage fund no later than 60 days after the availability of the appropriation ends, unless otherwise approved by the council.

(c) Paragraph (b), clause (3), does not apply to the state and its departments and agencies.

Sec. 6. Minnesota Statutes 2016, section 97A.056, is amended by adding a subdivision to read:

Subd. 23. **Maximum appropriation.** No more than 95 percent of the projected balance in the outdoor heritage fund may be appropriated in a fiscal year.

Sec. 7. Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, as amended by Laws 2016, chapter 172, article 1, section 5, is amended to read:

Subd. 2. **Prairies**

40,948,000

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(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase VII

\$4,570,000 in the first year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land and permanent conservation easement acquisitions must be provided as part of the required accomplishment plan.

(b) Accelerating Wildlife Management Area Acquisition - Phase VII

\$7,452,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Minnesota Prairie Recovery Project - Phase VI

\$4,032,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire native prairie, wetlands, and savanna and restore and enhance grasslands, wetlands, and savanna. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. Annual

income statements and balance sheets for income and expenses from land acquired with this appropriation must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days following the close of The Nature Conservancy's fiscal year. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities identified in the Minnesota Prairie Conservation Plan.

(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase VI

\$3,430,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(e) Accelerated Native Prairie Bank Protection - Phase IV

\$3,740,000 in the first year is to the commissioner of natural resources to implement the Minnesota Prairie Conservation Plan through the acquisition of permanent conservation easements to protect native prairie and grasslands. Up to \$165,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to

Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

(f) Minnesota Buffers for Wildlife and Water - Phase V

\$4,544,000 in the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements to protect and enhance habitat by expanding the clean water fund riparian buffer program for at least equal wildlife benefits from buffers on private land. Up to ~~\$72,500~~ \$728,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(g) Cannon River Headwaters Habitat Complex - Phase V

\$1,380,000 in the first year is to the commissioner of natural resources for an agreement with The Trust for Public Land to acquire and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley

\$1,800,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the Minnesota Prairie Chicken Society to acquire and restore lands in the southern Red River Valley for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or for designation and management as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(i) Protecting and Restoring Minnesota's Important Bird Areas

\$1,730,000 in the first year is to the commissioner of natural resources for agreements to acquire conservation easements within important bird areas identified in the Minnesota Prairie Conservation Plan, to be used as follows: \$408,000 is to Audubon Minnesota and \$1,322,000 is to Minnesota Land Trust, of which up to \$100,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(j) Wild Rice River Corridor Habitat Restoration

\$2,270,000 in the first year is to the commissioner of natural resources for an agreement with the Wild Rice Watershed District to acquire land in fee and permanent conservation easement and to restore river and related habitat in the Wild Rice River corridor. A list of proposed acquisitions and restorations must be provided as part of the required accomplishment plan.

(k) Accelerated Prairie Restoration and Enhancement on DNR Lands - Phase VII

\$4,880,000 in the first year is to the commissioner of natural resources to accelerate the restoration and enhancement of prairie communities on wildlife management areas, scientific and natural areas, state forest land, and land under native prairie bank easements. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(I) Enhanced Public Land Grasslands - Phase II

\$1,120,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to enhance and restore habitat on public lands. A list of proposed land restorations and enhancements must be provided as part of the final report.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2015.

Sec. 8. Laws 2016, chapter 172, article 1, section 2, subdivision 2, is amended to read:

Subd. 2. **Prairies** -0- 31,000,000

(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase VIII

\$3,250,000 the second year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Accelerating Wildlife Management Area Acquisition - Phase VIII

\$5,229,000 the second year is to the commissioner of natural resources for an

agreement with Pheasants Forever to acquire in fee and restore lands for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Martin County/Fox Lake Wildlife Management Area Acquisition

\$1,000,000 the second year is to the commissioner of natural resources for an agreement with Fox Lake Conservation League, Inc. to acquire land in fee and restore strategic prairie grassland, wetland, and other wildlife habitat for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase VII

\$2,754,000 the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements and restore lands within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must

be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(e) Cannon River Headwaters Habitat Complex - Phase VI

\$583,000 the second year is to the commissioner of natural resources for an agreement with The Trust for Public Land to acquire land in fee and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(f) Accelerated Native Prairie Bank Protection - Phase V

\$2,541,000 the second year is to the commissioner of natural resources to implement the Minnesota Prairie Conservation Plan through the acquisition of permanent conservation easements to protect and restore native prairie. Of this amount, up to \$120,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

(g) Reinvest In Minnesota (RIM) Buffers for Wildlife and Water - Phase VI

\$6,708,000 the second year is to the Board of Water and Soil Resources to acquire

permanent conservation easements and restore habitat under Minnesota Statutes, section 103F.515, to protect, restore, and enhance habitat by expanding the clean water fund riparian buffer program for at least equal wildlife benefits from buffers on private land. Of this amount, up to ~~\$130,000~~ \$1,079,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley - Phase II

\$2,269,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever, in cooperation with the Minnesota Prairie Chicken Society, to acquire land in fee and restore and enhance lands in the southern Red River Valley for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or for designation and management as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(i) Grassland Conservation Partnership - Phase II

\$1,475,000 the second year is to the commissioner of natural resources for an agreement with The Conservation Fund, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and restore high priority grassland, prairie, and wetland habitats as follows: \$64,000 to

The Conservation Fund; and \$1,411,000 to Minnesota Land Trust, of which up to \$100,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(j) Accelerated Prairie Restoration and Enhancement on DNR Lands - Phase VIII

\$3,983,000 the second year is to the commissioner of natural resources to accelerate restoration and enhancement of prairies, grasslands, and savannas on wildlife management areas, scientific and natural areas, native prairie bank land, and bluff prairies on state forest land in southeastern Minnesota. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(k) Anoka Sandplain Habitat Restoration and Enhancement - Phase IV

\$1,208,000 the second year is to the commissioner of natural resources for agreements to restore and enhance wildlife habitat on public lands in Anoka, Isanti, Morrison, Sherburne, and Todd Counties as follows: \$93,000 to Anoka Conservation District; \$25,000 to Isanti County Parks and Recreation Department; \$813,000 to Great River Greening; and \$277,000 to the National Wild Turkey Federation. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

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

Sec. 9. Laws 2016, chapter 172, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. **Wetlands** -0- 31,055,000

(a) Accelerating the Waterfowl Production Area Acquisition - Phase VIII

\$5,650,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore and enhance wetlands and grasslands to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Shallow Lake and Wetland Protection Program - Phase V

\$5,801,000 the second year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire in fee and restore prairie lands, wetlands, and land buffering shallow lakes for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(c) RIM Wetlands Partnership - Phase VII

\$13,808,000 the second year is to the Board of Water and Soil Resources to acquire lands in permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to ~~\$195,000~~ \$410,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(d) Wetland Habitat Protection Program - Phase II

\$1,629,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements in high-priority wetland habitat complexes in the prairie and forest/prairie transition regions. Of this amount, up to \$180,000 is to establish a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed easement acquisitions must be provided as part of the final report.

(e) Accelerated Shallow Lakes and Wetlands Enhancement - Phase VIII

\$2,167,000 the second year is to the commissioner of natural resources to enhance and restore shallow lakes and wetland habitat statewide. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(f) Marsh Lake - Phase II

\$2,000,000 the second year is to the commissioner of natural resources to modify the dam at Marsh Lake for improved habitat management and to return the historic outlet of the Pomme de Terre River to Lac Qui Parle.

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

Sec. 10. **REPEALER.**

Minnesota Statutes 2016, section 97A.056, subdivision 8, is repealed.

ARTICLE 2

CLEAN WATER FUND

Section 1. **CLEAN WATER FUND APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the clean water fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2018" and "2019" used in this article mean that the appropriations

listed under them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019. The appropriations in this article are onetime.

APPROPRIATIONS

Available for the Year

Ending June 30

2018

2019

Sec. 2. CLEAN WATER

Subdivision 1. Total Appropriation

	\$	<u>100,497,000</u>	\$	<u>111,116,000</u>
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The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. Availability of Appropriation

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's Guidance to Agencies on Legacy Fund Expenditure. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2018 appropriations are available until June 30, 2019, and fiscal year 2019 appropriations are available until June 30, 2020. If a project receives federal funds, the period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. Disability Access

Where appropriate, grant recipients of clean water funds, in consultation with the Council on Disability and other appropriate governor-appointed disability councils, boards, committees, and commissions, should make progress toward providing greater access to programs, print publications, and digital media for people with disabilities related to the programs the recipient funds using appropriations made in this article.

Sec. 3. DEPARTMENT OF AGRICULTURE \$ 8,208,000 \$ 9,208,000

(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

(b) \$2,085,000 the first year and \$2,086,000 the second year are for monitoring and evaluating trends in the concentration of nitrate in groundwater in areas vulnerable to groundwater degradation; promoting, developing, and evaluating regional and crop-specific nutrient best management practices; assessing best management practice adoption; education and technical support from University of Minnesota Extension; grants to support agricultural demonstration and implementation activities; and other actions to protect groundwater from degradation from nitrate. This appropriation is available until June 30, 2022.

(c) \$75,000 the first year and \$75,000 the second year are for administering clean water funds managed through the agriculture best management practices loan program. Any unencumbered balance at the end of the second year shall be added to the corpus of the loan fund.

(d) \$1,125,000 the first year and \$1,125,000 the second year are for technical assistance, research, and demonstration projects on proper implementation of best management practices and more precise information on nonpoint contributions to impaired waters and for grants to support on-farm demonstration of agricultural practices. This appropriation is available until June 30, 2022.

(e) \$663,000 the first year and \$662,000 the second year are for research to quantify and reduce agricultural contributions to impaired waters and for development and evaluation of best management practices to protect and

restore water resources. This appropriation is available until June 30, 2022.

(f) \$50,000 the first year and \$50,000 the second year are for a research inventory database containing water-related research activities. Costs for information technology development or support for this research inventory database may be paid to the Office of MN.IT Services. This appropriation is available until June 30, 2022.

(g) \$2,000,000 the first year and \$3,000,000 the second year are to implement the Minnesota agricultural water quality certification program statewide. Funds appropriated in this paragraph are available until June 30, 2021.

(h) \$110,000 the first year and \$110,000 the second year are to provide funding for a regional irrigation water quality specialist through University of Minnesota Extension.

(i) \$750,000 the first year and \$750,000 the second year are for grants to the Board of Regents of the University of Minnesota to fund the Forever Green Agriculture Initiative and to protect the state's natural resources while increasing the efficiency, profitability, and productivity of Minnesota farmers by incorporating perennial and winter-annual crops into existing agricultural practices. This appropriation is available until June 30, 2022.

(j) \$1,000,000 the first year and \$1,000,000 the second year are for pesticide testing of private wells where nitrate is detected, as part of the Township Testing Program. This appropriation is available until June 30, 2022.

(k) A portion of the funds in this section may be used for programs to train state and local outreach staff in the intersection between agricultural economics and agricultural conservation.

Sec. 4. **PUBLIC FACILITIES AUTHORITY** **\$** **7,125,000** **\$** **10,125,000**

(a) \$7,000,000 the first year and \$10,000,000 the second year are for the point source implementation grants program under Minnesota Statutes, section 446A.073. This appropriation is available until June 30, 2022.

(b) \$125,000 the first year and \$125,000 the second year are for small community wastewater treatment grants and loans under Minnesota Statutes, section 446A.075. This appropriation is available until June 30, 2022.

(c) If there are any uncommitted funds at the end of each fiscal year under paragraph (a) or (b), the Public Facilities Authority may transfer the remaining funds to eligible projects under any of the programs listed in this section based on their priority rank on the Pollution Control Agency's project priority list.

Sec. 5. **POLLUTION CONTROL AGENCY** **\$** **26,835,000** **\$** **27,722,000**

(a) \$8,275,000 the first year and \$8,275,000 the second year are for completion of needed statewide assessments of surface water quality and trends according to Minnesota Statutes, chapter 114D. Of this amount, \$125,000 the first year and \$125,000 the second year are for grants to the Red River Watershed Management Board to enhance and expand the existing water quality and watershed monitoring river watch activities in the schools in the Red River of the North. The Red River Watershed Management Board shall provide a report to the commissioner of the Pollution Control Agency and the legislative committees and divisions with jurisdiction over environment and natural resources finance and policy and the clean water fund by February 15, 2019, on the expenditure of this appropriation.

(b) \$9,904,000 the first year and \$10,145,000 the second year are to develop watershed restoration and protection strategies (WRAPS), which include total maximum

daily load (TMDL) studies and TMDL implementation plans for waters listed on the United States Environmental Protection Agency approved impaired waters list in accordance with Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDLs each year over the biennium.

(c) \$1,181,000 the first year and \$1,182,000 the second year are for groundwater assessment, including enhancing the ambient monitoring network, modeling, and evaluating trends, including the reassessment of groundwater that was assessed ten to 15 years ago and found to be contaminated.

(d) \$750,000 the first year and \$750,000 the second year are for implementation of the St. Louis River System Area of Concern Remedial Action Plan. This appropriation must be matched at a rate of 65 percent nonstate money to 35 percent state money.

(e) \$1,000,000 the first year and \$1,000,000 the second year are for TMDL research and database development.

(f) \$900,000 the first year and \$900,000 the second year are for national pollutant discharge elimination system wastewater and storm water TMDL implementation efforts.

(g) \$3,500,000 the first year and \$3,745,000 the second year are for enhancing the county-level delivery systems for subsurface sewage treatment system (SSTS) activities necessary to implement Minnesota Statutes, sections 115.55 and 115.56, for protection of groundwater, including base grants for all counties with SSTS programs and competitive grants to counties with specific plans to significantly reduce water pollution by reducing the number of systems that are an imminent threat to public health or safety or are otherwise failing. Counties that receive base grants must report the number of sewage noncompliant properties upgraded through

SSTS replacement, connection to a centralized sewer system, or other means, including property abandonment or buy-out. Counties also must report the number of existing SSTS compliance inspections conducted in areas under county jurisdiction. These required reports are to be part of established annual reporting for SSTS programs. Counties that conduct SSTS inventories or those with an ordinance in place that requires an SSTS to be inspected as a condition of transferring property or as a condition of obtaining a local permit must be given priority for competitive grants under this paragraph. Of this amount, \$1,000,000 each year is available to counties for grants to low-income landowners to address systems that pose an imminent threat to public health or safety or fail to protect groundwater. A grant awarded under this paragraph may not exceed \$40,000 for the biennium. A county receiving a grant under this paragraph must submit a report to the agency listing the projects funded, including an account of the expenditures.

(h) \$275,000 the first year and \$275,000 the second year are for accelerated implementation of MS4 permit requirements including additional technical assistance to municipalities experiencing difficulties understanding and implementing the basic requirements of the municipal storm water program.

(i) \$800,000 the first year and \$1,200,000 the second year are for a grant program for sanitary sewer projects that are included in the draft or any updated Voyageurs National Park Clean Water Project Comprehensive Plan to restore the water quality of waters in Voyageurs National Park. Grants must be awarded to local government units for projects approved by the Voyageurs National Park Clean Water Joint Powers Board and must be matched by at least 25 percent from sources other than the clean water fund.

(j) \$200,000 the first year and \$200,000 the second year are for coordination with the state of Wisconsin and the National Park Service on comprehensive phosphorous reduction activities in the Minnesota portion of Lake St. Croix on the St. Croix River. The commissioner must work with the St. Croix Basin Water Resources Planning Team and the St. Croix River Association to implement the water monitoring and phosphorous reduction activities.

(k) \$50,000 the first year and \$50,000 the second year are to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1.

(l) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations in this section are available until June 30, 2022.

Sec. 6. DEPARTMENT OF NATURAL RESOURCES

\$ 8,550,000 \$ 8,550,000

(a) \$1,950,000 the first year and \$1,950,000 the second year are for stream flow monitoring.

(b) \$1,250,000 the first year and \$1,250,000 the second year are for lake Index of Biological Integrity (IBI) assessments.

(c) \$135,000 the first year and \$135,000 the second year are for assessing mercury and other contaminants of fish, including monitoring to track the status of impaired waters over time.

(d) \$1,940,000 the first year and \$1,940,000 the second year are for developing targeted, science-based watershed restoration and protection strategies.

(e) \$1,375,000 the first year and \$1,375,000 the second year are for water supply planning, aquifer protection, and monitoring activities.

(f) \$1,000,000 the first year and \$1,000,000 the second year are for technical assistance to support local implementation of nonpoint source restoration and protection activities.

(g) \$675,000 the first year and \$675,000 the second year are for applied research and tools, including watershed hydrologic modeling; maintaining and updating spatial data for watershed boundaries, streams, and water bodies and integrating high-resolution digital elevation data; and assessing effectiveness of forestry best management practices for water quality.

(h) \$125,000 the first year and \$125,000 the second year are for developing county geologic atlases.

(i) \$100,000 the first year and \$100,000 the second year are for maintenance and updates to buffer maps and for technical guidance on buffer map interpretation to local units of government for implementation of buffer requirements. Maps must be provided to local units of government and made available to landowners on the Department of Natural Resources' Web site.

Sec. 7. BOARD OF WATER AND SOIL RESOURCES

\$ 44,879,000 \$ 50,621,000

(a) \$4,875,000 the first year and \$4,875,000 the second year are for a pilot program to provide performance-based grants to local government units. The grants may be used to implement projects that protect, enhance, and restore surface water quality in lakes, rivers, and streams; protect groundwater from degradation; and protect drinking water sources. Projects must be identified in a comprehensive watershed plan developed under the One Watershed, One Plan or metropolitan surface water management frameworks or groundwater plans. Grant recipients must identify a nonstate match and

may use other legacy funds to supplement projects funded under this paragraph.

(b) \$10,070,000 the first year and \$13,812,000 the second year are for grants to protect and restore surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system projects and stream bank, stream channel, shoreline restoration, and ravine stabilization projects. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans, watershed restoration and protection strategies (WRAPS), or local water management plans or their equivalents. A portion of these funds may be used to seek administrative efficiencies through shared resources by multiple local governmental units.

(c) \$4,000,000 the first year and \$4,000,000 the second year are for accelerated implementation, including local resource protection and enhancement grants and statewide program enhancements of supplements for technical assistance, citizen and community outreach, compliance, and training and certification.

(d) \$950,000 the first year and \$950,000 the second year are to provide state oversight and accountability, evaluate results, provide implementation tools, and measure the value of conservation program implementation by local governments, including submission to the legislature by March 1 each even-numbered year a biennial report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients, the projects

funded under this section, and the amount of pollution reduced.

(e) \$2,500,000 the first year and \$2,500,000 the second year are to provide assistance, oversight, and grants for supporting local governments in implementing and complying with riparian protection and excessive soil loss requirements.

(f) \$3,875,000 the first year and \$5,875,000 the second year are to restore or preserve permanent conservation on riparian buffers adjacent to lakes, rivers, streams, and tributaries, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. This appropriation may be used for restoration of riparian buffers permanently protected by easements purchased with this appropriation or contracts to achieve permanent protection for riparian buffers or stream bank restorations when the riparian buffers have been restored. Up to \$1,920,000 is for deposit in a monitoring and enforcement account.

(g) \$1,750,000 the first year and \$1,750,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d), or for grants to local units of government for fee title acquisition to permanently protect groundwater supply sources on wellhead protection areas or for otherwise ensuring long-term protection of groundwater supply sources as described under alternative management tools in the Department of Agriculture's Nitrogen Fertilizer Management Plan, including low nitrogen cropping systems or implementing nitrogen fertilizer best management practices. Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health, where drinking

water protection plans have identified specific activities that will achieve long-term protection, and on lands with expiring Conservation Reserve Program contracts. Up to \$105,000 is for deposit in a monitoring and enforcement account.

(h) \$84,000 the first year and \$84,000 the second year are for a technical evaluation panel to conduct ten restoration evaluations under Minnesota Statutes, section 114D.50, subdivision 6.

(i) \$2,100,000 the first year and \$2,100,000 the second year are for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D.

(j) \$750,000 the first year and \$750,000 the second year are for technical assistance and grants for the conservation drainage program in consultation with the Drainage Work Group, coordinated under Minnesota Statutes, section 103B.101, subdivision 13, that includes projects to improve multipurpose water management under Minnesota Statutes, section 103E.015.

(k) \$1,500,000 the first year and \$1,500,000 the second year are to purchase and restore permanent conservation sites via easements or contracts to treat and store water on the land for water quality improvement purposes and related technical assistance. This work may be done in cooperation with the United States Department of Agriculture with a first priority use to accomplish a conservation reserve enhancement program, or equivalent, in the state. Up to \$2,880,000 is for deposit in a monitoring and enforcement account.

(l) \$1,000,000 the first year and \$1,000,000 the second year are to purchase permanent conservation easements to protect lands adjacent to public waters with good water

quality but threatened with degradation. Up to \$60,000 is for deposit in a monitoring and enforcement account.

(m) \$425,000 the first year and \$425,000 the second year are for a program to systematically collect data and produce county, watershed, and statewide estimates of soil erosion caused by water and wind along with tracking adoption of conservation measures, including cover crops, to address erosion.

(n) \$11,000,000 the first year and \$11,000,000 the second year are for payments to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331. From this appropriation, each soil and water conservation district shall receive an increase in its base funding of \$100,000 per year. Money remaining after the base increase is available for matching grants to soil and water conservation districts based on county allocations to soil and water conservation districts. The board and other agencies may reduce the amount of grants to a county by an amount equal to any reduction in the county's allocation to a soil and water conservation district from the county's previous year allocation when the board determines that the reduction was disproportionate.

(o) The board shall contract for delivery of services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for up to \$500,000 the first year and up to \$500,000 the second year.

(p) The board may shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.

(q) The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

(r) The appropriations in this section are available until June 30, 2022. Returned grant funds shall be regranted consistent with the purposes of this section.

Sec. 8. **DEPARTMENT OF HEALTH**

\$

3,660,000

\$

3,665,000

(a) \$1,100,000 the first year and \$1,100,000 the second year are for addressing public health concerns related to contaminants found in Minnesota drinking water for which no health-based drinking water standards exist, including accelerating the development of health risk limits and improving the capacity of the department's laboratory to analyze unregulated contaminants.

(b) \$1,900,000 the first year and \$1,900,000 the second year are for protection of drinking water sources.

(c) \$110,000 the first year and \$115,000 the second year are for cost-share assistance to public and private well owners for up to 50 percent of the cost of sealing unused wells.

(d) \$125,000 the first year and \$125,000 the second year are to develop and deliver groundwater restoration and protection strategies for use on a watershed scale for use in local water planning efforts and to provide resources to local governments for drinking water source protection activities.

(e) \$325,000 the first year and \$325,000 the second year are for studying the occurrence and magnitude of contaminants in private wells and developing guidance and outreach to reduce risks to private-well owners.

(f) \$100,000 the first year and \$100,000 the second year are for evaluating and addressing the risks from viruses in water supplies.

required in Minnesota Statutes, section 3.303, subdivision 10.

Sec. 11. Minnesota Statutes 2016, section 114D.50, is amended by adding a subdivision to read:

Subd. 7. **Maximum appropriation.** No more than 95 percent of the projected balance in the clean water fund may be appropriated in a fiscal year.

ARTICLE 3

PARKS AND TRAILS FUND

Section 1. PARKS AND TRAILS FUND APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the parks and trails fund and are available for the fiscal years indicated for each purpose. The figures "2018" and "2019" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019. All appropriations in this article are onetime.

APPROPRIATIONS

Available for the Year

Ending June 30

2018

2019

Sec. 2. PARKS AND TRAILS

Subdivision 1. Total Appropriation

\$ 41,989,000 \$ 47,775,000

The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. Availability of Appropriation

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's Guidance to Agencies on Legacy Fund Expenditure. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2018 appropriations are available until June

30, 2020, and fiscal year 2019 appropriations are available until June 30, 2021. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. Disability Access

Where appropriate, grant recipients of parks and trails funds, in consultation with the Council on Disability and other appropriate governor-appointed disability councils, boards, committees, and commissions, should make progress toward providing greater access to programs, print publications, and digital media for people with disabilities related to the programs the recipient funds using appropriations made in this article.

Sec. 3. DEPARTMENT OF NATURAL RESOURCES

\$ 25,398,000 \$ 28,884,000

(a) \$16,584,000 the first year and \$18,891,000 the second year are for state parks, recreation areas, and trails to:

- (1) connect people to the outdoors;
- (2) acquire land and create opportunities;
- (3) maintain existing holdings; and
- (4) improve cooperation by coordinating with partners to implement the 25-year long-range parks and trails legacy plan.

(b) \$8,293,000 the first year and \$9,445,000 the second year are for grants for parks and trails of regional significance outside the seven-county metropolitan area under Minnesota Statutes, section 85.535. The grants awarded under this paragraph shall be based on the lists of recommended projects submitted to the legislative committees under Minnesota Statutes, section 85.536, subdivision 10, from the Greater Minnesota Regional Parks and Trails Commission established under Minnesota Statutes, section 85.536. Grants funded under this paragraph

must support parks and trails of regional or statewide significance that meet the applicable definitions and criteria for regional parks and trails contained in the Greater Minnesota Regional Parks and Trails Strategic Plan adopted by the Greater Minnesota Regional Parks and Trails Commission on April 22, 2015. Grant recipients identified under this paragraph must submit a grant application to the commissioner of natural resources. Up to 2.5 percent of the appropriation may be used by the commissioner for the actual cost of issuing and monitoring the grants for the commission. Of the amount appropriated, \$424,000 in fiscal year 2018 and \$399,000 in fiscal year 2019 are for the Greater Minnesota Regional Parks and Trails Commission to carry out its duties under Minnesota Statutes, section 85.536, including the continued development of a statewide system plan for regional parks and trails outside the seven-county metropolitan area.

(c) By January 15, 2018, the Greater Minnesota Regional Parks and Trails Commission shall submit a list of projects that contains the commission's recommendations for funding from the parks and trails fund for fiscal year 2019 to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over the environment and natural resources and the parks and trails fund.

(d) By January 15, 2018, the Greater Minnesota Regional Parks and Trails Commission shall submit a report that contains the commission's criteria for funding from the parks and trails fund, including the criteria used to determine if a park or trail is of regional significance, to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over the

environment and natural resources and the parks and trails fund.

(e) \$521,000 the first year and \$548,000 the second year are for coordination and projects between the department, the Metropolitan Council, and the Greater Minnesota Regional Parks and Trails Commission; enhanced Web-based information for park and trail users; and support of activities of the Parks and Trails Legacy Advisory Committee.

(f) The commissioner shall contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for at least \$1,000,000 the first year and \$1,000,000 the second year.

(g) The implementing agencies receiving appropriations under this section shall give consideration to contracting with Conservation Corps Minnesota for restoration, maintenance, and other activities.

Sec. 4. <u>METROPOLITAN COUNCIL</u>	<u>\$</u>	<u>16,584,000</u>	<u>\$</u>	<u>18,891,000</u>
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(a) \$16,584,000 the first year and \$18,891,000 the second year are for distribution according to Minnesota Statutes, section 85.53, subdivision 3.

(b) Money appropriated under this section and distributed to implementing agencies must be used only to fund the list of projects approved by the elected representatives of each of the metropolitan parks implementing agencies. Projects funded by the money appropriated under this section must be substantially consistent with the project descriptions and dollar amounts approved by each elected body. Any funds remaining after completion of the listed projects may be spent by the implementing agencies on projects to support parks and trails.

(c) Grant agreements entered into by the Metropolitan Council and recipients of

money appropriated under this section must ensure that the funds are used to supplement and not substitute for traditional sources of funding.

(d) The implementing agencies receiving appropriations under this section shall give consideration to contracting with Conservation Corps Minnesota for restoration, maintenance, and other activities.

Sec. 5. **LEGISLATURE** § **7,000**

\$7,000 the first year is for the Legislative Coordinating Commission for the Web site required in Minnesota Statutes, section 3.303, subdivision 10.

Sec. 6. Minnesota Statutes 2016, section 85.53, is amended by adding a subdivision to read:

Subd. 6. **Maximum appropriation.** No more than 95 percent of the projected balance in the parks and trails fund may be appropriated in a fiscal year.

Sec. 7. **SAUK RIVER REGIONAL PARK GRANT EXTENSION.**

The appropriation in Laws 2013, chapter 137, article 3, section 3, paragraph (c), clause (9), from the parks and trails fund for trail enhancement, land acquisition, and other improvements at Sauk River Regional Park is available until June 30, 2022.

EFFECTIVE DATE. This section is effective retroactively from June 30, 2016.

Sec. 8. **HYLAND-BUSH-ANDERSON LAKES REGIONAL PARK RESERVE GRANT EXTENSION.**

The appropriations for fiscal years 2014 and 2015 in Laws 2013, chapter 137, article 3, section 4, paragraph (c), from the parks and trails fund for grants to the city of Bloomington to reconstruct parking lots at the Hyland-Bush-Anderson Lakes Park Reserve are available until June 30, 2018.

EFFECTIVE DATE. This section is effective retroactively from June 30, 2016.

Sec. 9. **ANOKA COUNTY AND DAKOTA COUNTY REALLOCATIONS.**

Notwithstanding Laws 2013, chapter 137, article 3, section 4, paragraph (o), and Laws 2015, First Special Session chapter 2, article 3, section 4, paragraph (b):

(1) Anoka County may allocate \$438,000 of its share of the distribution for fiscal year 2017 funds under Minnesota Statutes, section 85.53, subdivision 3, to Bunker Hills Regional Park in accordance with the most recent priority rankings that Anoka County has submitted to the Metropolitan Council; and

(2) Dakota County may allocate \$180,000 of its share of the distribution under Minnesota Statutes, section 85.53, subdivision 3, designated for the Vermillion River Regional Greenway to the phase 2 improvement to Whitetail Woods Regional Park in Dakota County.

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

ARTICLE 4

ARTS AND CULTURAL HERITAGE FUND

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the entities and for the purposes specified in this article. The appropriations are from the arts and cultural heritage fund, and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2018" and "2019" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019. All appropriations in this article are onetime.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2018</u>	<u>2019</u>

Sec. 2. **ARTS AND CULTURAL HERITAGE**

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>57,331,000</u>	<u>\$</u>	<u>66,033,000</u>
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The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Availability of Appropriation**

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2018 appropriations are available until June 30, 2019, and fiscal year 2019 appropriations are available until June 30,

2020. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding.

Any unencumbered balance remaining under this section in the first year does not cancel, but is available for the second year of the biennium.

Subd. 3. Minnesota State Arts Board

26,245,000

31,736,000

(a) These amounts are appropriated to the Minnesota State Arts Board for arts, arts education, and arts access. Grant agreements entered into by the Minnesota State Arts Board and other recipients of appropriations in this subdivision must ensure that these funds are used to supplement and not substitute for traditional sources of funding. Each grant program established within this appropriation must be separately administered from other state appropriations for program planning and outcome measurements, but may take into consideration other state resources awarded in the selection of applicants and grant award size.

(b) Arts and Arts Access Initiatives

\$20,700,000 the first year and \$25,589,000 the second year are to support Minnesota artists and arts organizations in creating, producing, and presenting high-quality arts activities; to preserve, maintain, and interpret art forms and works of art so that they are accessible to Minnesota audiences; to overcome barriers to accessing high-quality arts activities; and to instill the arts into the community and public life in this state.

(c) Arts Education

\$4,115,000 the first year and \$4,610,000 the second year are for high-quality, age-appropriate arts education for Minnesotans of all ages to develop knowledge, skills, and understanding of the arts.

(d) Arts and Cultural Heritage

\$1,430,000 the first year and \$1,537,000 the second year are for events and activities that represent, preserve, and maintain the diverse cultural arts traditions, including folk and traditional artists and art organizations, represented in this state.

(e) Up to 4.5 percent of the funds appropriated in paragraphs (b) to (d) may be used by the board for administering grant programs, delivering technical services, providing fiscal oversight for the statewide system, and ensuring accountability.

(f) Up to 30 percent of the remaining total appropriation to each of the categories listed in paragraphs (b) to (d) is for grants to the regional arts councils. Notwithstanding any other provision of law, regional arts council grants or other arts council grants for touring programs, projects, or exhibits must ensure the programs, projects, or exhibits are able to tour in their own region as well as all other regions of the state.

Subd. 4. Department of Education2,200,0002,200,000

These amounts are appropriated to the commissioner of education for grants to the 12 Minnesota regional library systems to provide educational opportunities in the arts, history, literary arts, and cultural heritage of Minnesota. These funds shall be allocated using the formula in Minnesota Statutes, section 134.355, subdivisions 3, 4, and 5, with the remaining 25 percent to be distributed to all qualifying systems in an amount proportionate to the number of qualifying system entities in each system. For purposes of this subdivision, "qualifying system entity" means a public library, a regional library system, a regional library system headquarters, a county, or an outreach service program. These funds may be used to sponsor programs provided by regional libraries or to provide grants to local arts and

cultural heritage programs for programs in partnership with regional libraries. These funds must be distributed in ten equal payments per year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2019, as grants or contracts in this subdivision are available until June 30, 2021.

Subd. 5. Minnesota Historical Society

13,096,000

16,652,000

(a) These amounts are appropriated to the governing board of the Minnesota Historical Society to preserve and enhance access to Minnesota's history and its cultural and historical resources. Grant agreements entered into by the Minnesota Historical Society and other recipients of appropriations in this subdivision must ensure that these funds are used to supplement and not substitute for traditional sources of funding. Funds directly appropriated to the Minnesota Historical Society must be used to supplement, and not substitute for, traditional sources of funding. Notwithstanding Minnesota Statutes, section 16A.28, for historic preservation projects that improve historic structures, the amounts are available until June 30, 2021. The Minnesota Historical Society or grant recipients of the Minnesota Historical Society using arts and cultural heritage funds under this subdivision must give consideration to Conservation Corps Minnesota and Northern Bedrock Conservation Corps, or an organization carrying out similar work, for projects with the potential to need historic preservation services.

(b) Historical Grants and Programs

(1) Statewide Historic and Cultural Grants

\$5,381,000 the first year and \$6,947,000 the second year are for history programs and projects operated or conducted by or through local, county, regional, or other historical or cultural organizations or for activities to preserve significant historic and cultural

resources. Funds are to be distributed through a competitive grant process. The Minnesota Historical Society shall administer these funds using established grant mechanisms, with assistance from the advisory committee created under Laws 2009, chapter 172, article 4, section 2, subdivision 4, paragraph (b), item (ii).

(2) Statewide History Programs

\$5,025,000 the first year and \$6,905,000 the second year are for programs and purposes related to the historical and cultural heritage of the state of Minnesota, conducted by the Minnesota Historical Society.

(3) History Partnerships

\$2,000,000 the first year and \$2,200,000 the second year are for partnerships involving multiple organizations, which may include the Minnesota Historical Society, to preserve and enhance access to Minnesota's history and cultural heritage in all regions of the state.

(4) Statewide Survey of Historical and Archaeological Sites

\$300,000 the first year and \$300,000 the second year are for a contract or contracts to be awarded on a competitive basis to conduct statewide surveys of Minnesota's sites of historical, archaeological, and cultural significance. Results of the surveys must be published in a searchable form and available to the public on a cost-free basis. The Minnesota Historical Society, the Office of the State Archaeologist, and the Indian Affairs Council shall each appoint a representative to an oversight board to select contractors and direct the conduct of the surveys. The oversight board shall consult with the Departments of Transportation and Natural Resources.

(5) Digital Library

\$300,000 the first year and \$300,000 the second year are for a digital library project to preserve, digitize, and share Minnesota images, documents, and historical materials. The Minnesota Historical Society shall cooperate with the Minitex interlibrary loan system and shall jointly share this appropriation for these purposes.

(6) Fort Snelling Chapel

\$90,000 the first year is for a grant to the Fort Snelling Memorial Chapel Foundation to restore the stained glass in the historic Fort Snelling Memorial Chapel in Bloomington.

Subd. 6. Department of Administration

10,488,000

9,500,000

(a) These amounts are appropriated to the commissioner of administration for grants to the named organizations for the purposes specified in this subdivision. The commissioner of administration may use a portion of this appropriation for costs that are directly related to and necessary to the administration of grants in this section.

(b) Grant agreements entered into by the commissioner and recipients of appropriations under this subdivision must ensure that money appropriated in this subdivision is used to supplement and not substitute for traditional sources of funding.

(c) Public Television

\$4,150,000 the first year and \$3,900,000 the second year are for grants to the Minnesota Public Television Association for production and acquisition grants according to Minnesota Statutes, section 129D.18. Of this amount, \$650,000 in the first year is for a grant to Twin Cities Public Television to produce the Vietnam: Minnesota Remembers project. Any production costs associated with this project incurred on or after February 1, 2017, are eligible for reimbursement under this section as long as these funds are available under subdivision 2.

(d) Minnesota Public Radio

\$1,500,000 the first year and \$1,700,000 the second year are for Minnesota Public Radio to create programming and expand news service on Minnesota's cultural heritage and history.

(e) Association of Minnesota Public Educational Radio Stations

\$1,500,000 the first year and \$1,700,000 the second year are appropriated for a grant to the Association of Minnesota Public Educational Radio Stations for production and acquisition grants in accordance with Minnesota Statutes, section 129D.19.

(f) Como Park Zoo

\$1,000,000 the first year and \$1,200,000 the second year are for a grant to the Como Park Zoo and Conservatory for program development that features education programs and habitat enhancement, special exhibits, music appreciation programs, and historical garden access and preservation.

(g) Lake Superior Zoo

\$75,000 the first year and \$75,000 the second year are for a grant to the Lake Superior Zoo to develop new regionally significant educational exhibits and programs.

(h) Science Museum of Minnesota

\$600,000 the first year and \$600,000 the second year are to the Science Museum of Minnesota for arts, arts education, and arts access and to preserve Minnesota's history and cultural heritage, including student and teacher outreach, statewide educational initiatives, and community-based exhibits that preserve Minnesota's history and cultural heritage.

(i) Wilderness Inquiry

\$250,000 the first year and \$250,000 the second year are for grants to Wilderness

Inquiry to preserve Minnesota's outdoor history, culture, and heritage by connecting Minnesota youth to natural resources.

(j) Veterans Memorial Grants

\$200,000 the first year is for a competitive grants program to provide grants to local units of government for veterans memorials to preserve the culture and heritage of Minnesota. The local unit of government must provide a nonstate cash match equal to the amount of the grant received under this paragraph.

(k) Medal of Honor Commemorative Memorial

\$250,000 the first year is to complete design and construction of a memorial in the Capitol area to honor all Minnesota Medal of Honor recipients. This appropriation is not available until the commissioner determines that at least \$250,000 is committed to the project from nonstate sources, and there are sufficient resources to complete the project, as required in Minnesota Statutes, section 16A.502, and Laws 2016, chapter 189, article 13, section 64.

(l) Big Marine Lake Veterans Rest Camp

\$278,000 the first year is for a grant to the Big Marine Lake Veterans Rest Camp to develop and build a welcome center that supports the mission, programs, and safety of the Veterans Rest Camp to provide Minnesota's cultural, historical, and recreational activities to veterans, their families, and their guests.

(m) Camp Legionville

\$222,000 the first year is for a grant to Camp Legionville to update the dining facility to allow the camp to continue to provide an overnight facility with programs for youth, veterans, and the public related to Minnesota's cultural, historical, and recreational activities.

(n) Green Giant Museum

\$300,000 the first year and \$75,000 the second year are for a grant to the city of Blue Earth to predesign, design, construct, furnish, and equip the Green Giant Museum to preserve the culture and history of Minnesota.

(o) State Archeologist Non-Indian Remains Project

\$108,000 the first year is for the Office of the State Archaeologist Non-Indian Remains Analysis and Reburial project.

(p) Governor's Council on Developmental Disabilities

\$55,000 the first year is for the digital enhancement project of the Governor's Council on Developmental Disabilities.

Subd. 7. Minnesota Zoo1,550,0001,950,000

These amounts are appropriated to the Minnesota Zoological Board for programs and development of the Minnesota Zoological Garden and for providing access and education related to programs on the cultural heritage of Minnesota.

Subd. 8. Minnesota Humanities Center2,495,0002,495,000

(a) These amounts are appropriated to the Board of Directors of the Minnesota Humanities Center for the purposes specified in this subdivision. The Minnesota Humanities Center may use up to 4.5 percent of the following grants to cover the cost of administering, planning, evaluating, and reporting these grants. The Minnesota Humanities Center must develop a written plan to issue the grants in this subdivision and shall submit the plan for review and approval by the Department of Administration. The written plan must require the Humanities Center to create and adhere to grant policies that are similar to those established pursuant to Minnesota Statutes, section 16B.97, subdivision 4, paragraph (a), clause (1).

No grants awarded in this subdivision may be used for travel outside the state of Minnesota. The grant agreement must specify the repercussions for failing to comply with the grant agreement.

(b) Programs and Purposes

\$1,000,000 the first year and \$1,000,000 the second year are for programs and purposes of the Minnesota Humanities Center. Of this amount, \$100,000 each year may be used for the veterans' voices program.

The Minnesota Humanities Center may consider museums and organizations celebrating the identities of Minnesotans for grants from these funds.

(c) Civics Programs

\$200,000 the first year and \$200,000 the second year are for grants to the Minnesota Civic Education Coalition: Minnesota Civic Youth, the Learning Law and Democracy Foundation, and YMCA Youth in Government to conduct civics education programs for the civic and cultural development of Minnesota youth. Civics education is the study of constitutional principles and the democratic foundation of our national, state, and local institutions and the study of political processes and structures of government, grounded in the understanding of constitutional government under the rule of law.

(d) Council on Disability

\$45,000 the first year and \$45,000 the second year are for a grant to the Minnesota State Council on Disability to produce and broadcast programs to preserve Minnesota's disability history and culture and to conduct celebrations of the Americans with Disabilities Act. These funds are available until June 30, 2020.

(e) Fanka Arts Program

\$150,000 each year is for a Fanka arts grant program to one or more community organizations that participate in statewide Somali arts and cultural programs that provide arts education, workshops, mentor programs, or community presentations and community engagement events. The funding must be used for Fanka programs to provide arts education and workshops, mentor programs, and community presentations and community engagement events throughout Minnesota.

(f) Somali Museum of Minnesota

\$150,000 each year is for a grant to the Somali Museum of Minnesota for the Heritage Arts and Cultural Vitality programs for classes, exhibits, presentations, and outreach about the Somali community and heritage in Minnesota.

(g) Children's Museum Grants

\$950,000 the first year and \$950,000 the second year are for arts and cultural heritage grants to children's museums.

Of this amount, \$500,000 the first year and \$500,000 the second year are for the Minnesota Children's Museum, \$150,000 each year is for the Duluth Children's Museum, \$150,000 each year is for the Grand Rapids Children's Museum, and \$150,000 each year is for the Southern Minnesota Children's Museum.

Subd. 9. Indian Affairs Council

1,250,000

1,500,000

(a) These amounts are appropriated to the Indian Affairs Council for the purposes identified in this subdivision.

(b) Grants to Preserve Dakota and Ojibwe Language

\$550,000 the first year and \$700,000 the second year are for grants for programs that preserve Dakota and Ojibwe Indian language and to foster educational programs in Dakota and Ojibwe languages.

(c) Language Immersion

\$275,000 the first year and \$275,000 the second year are for grants of \$137,500 each year to the Niigaane Ojibwe Immersion School and the Wicoie Nandagikendan urban immersion project.

(d) Competitive Grants for Language Immersion

\$200,000 the first year and \$300,000 the second year are for competitive grants for language immersion programs.

(e) Graves Protection

\$100,000 each year is for the Indian Affairs Council to carry out responsibilities under Minnesota Statutes, section 307.08, to comply with Public Law 101-601, the Native American Graves Protection and Repatriation Act, and to develop an osteology laboratory and repository for American Indian human remains.

(f) Why Treaties Matter Exhibit

\$125,000 each year is to partner and collaborate with the Minnesota Humanities Center for the Why Treaties Matter Exhibit. The Minnesota Humanities Center will be the fiscal agent for this exhibit.

Subd. 10. Legislature7,000-0-

This amount is appropriated to the Legislative Coordinating Commission to operate the Web site for dedicated funds required under Minnesota Statutes, section 3.303, subdivision 10.

Sec. 3. Minnesota Statutes 2016, section 129D.17, is amended by adding a subdivision to read:

Subd. 5. **Maximum appropriation.** No more than 95 percent of the projected balance in the arts and cultural heritage fund may be appropriated in a fiscal year."

Delete the title and insert:

"A bill for an act relating to legacy; appropriating money to maintain dedicated funding website; amending Minnesota Statutes 2016, sections 85.53, by adding a subdivision; 97A.056, subdivisions 1, 15, by adding subdivisions; 114D.50, by adding a subdivision; 129D.17, by adding a subdivision;

Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, as amended; Laws 2016, chapter 172, article 1, section 2, subdivisions 2, 4; repealing Minnesota Statutes 2016, section 97A.056, subdivision 8."

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

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

S.F. No. 543: A bill for an act relating to capital investment; modifying provisions of the Lewis and Clark Regional Water System project; authorizing additional housing infrastructure bonds; amending Minnesota Statutes 2016, sections 16A.967, subdivisions 2, 7; 462A.37, subdivisions 2a, 2b.

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

Page 3, line 25, delete "\$97,000,000" and insert "\$94,025,000"

Page 3, line 29, delete "\$13,000,000" and insert "\$12,475,000"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 815, 396, and 543 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 707 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Marty introduced--

S.F. No. 2326: A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, article IV; article VIII, sections 1 and 6; article IX, sections 1 and 2; article XI, section 5; providing for a single-house legislature; providing by statute for a legislature of 99 members; amending Minnesota Statutes 2016, sections 2.021; 2.031, subdivision 1.

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

Senators Carlson and Ruud introduced--

S.F. No. 2327: A bill for an act relating to capital investment; appropriating money for remediation of the Freeway Landfill and construction of a lined landfill in Burnsville; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Hall introduced--

S.F. No. 2328: A bill for an act relating to local government; requiring notice of certain ordinances and resolutions; requiring an economic analysis on the impact of licensed businesses and local or state tax revenue; amending Minnesota Statutes 2016, section 375.51, subdivision 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on Local Government.

Senators Klein, Lang, and Newton introduced--

S.F. No. 2329: A bill for an act relating to transportation; establishing a special license plate for veterans who served as multinational peacekeepers in Beirut, Lebanon; amending Minnesota Statutes 2016, section 168.123, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

Senator Osmek introduced--

S.F. No. 2330: A bill for an act relating to transportation; establishing various requirements for the Metropolitan Council's transportation policy plan; prioritizing bus system improvements; appropriating money; amending Minnesota Statutes 2016, section 473.146, by adding subdivisions.

Referred to the Committee on Transportation Finance and Policy.

Senators Dibble and Hall introduced--

S.F. No. 2331: A bill for an act relating to health; permitting the administration of medical cannabis in schools; amending Minnesota Statutes 2016, sections 152.23; 152.27, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Senators Rosen and Lourey introduced--

S.F. No. 2332: A bill for an act relating to retirement; authorizing the transfer of assets and members from the voluntary statewide volunteer firefighter retirement plan to a volunteer firefighter relief association; amending Minnesota Statutes 2016, sections 353G.01, subdivision 9, by adding a subdivision; 353G.03, subdivision 3; 353G.08, subdivision 3; 353G.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 353G.

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

Senator Franzen introduced--

S.F. No. 2333: A bill for an act relating to motor vehicles; modifying the requirements for salvage titles; amending Minnesota Statutes 2016, sections 168A.04, subdivisions 1, 4; 168A.151, subdivision 1; 325F.6641.

Referred to the Committee on Transportation Finance and Policy.

Senator Franzen introduced--

S.F. No. 2334: A bill for an act relating to taxation; income; extending the small business investment credit; amending Minnesota Statutes 2016, section 116J.8737, subdivision 5.

Referred to the Committee on Taxes.

Senator Eken introduced--

S.F. No. 2335: A bill for an act relating to guardians; amending the background study requirements for parents of proposed wards; amending Minnesota Statutes 2016, section 524.5-118, subdivision 1.

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

Senators Carlson and Ruud introduced--

S.F. No. 2336: A bill for an act relating to environment; requiring acquisition of certain landfill sites to conduct environmental response action.

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

MOTIONS AND RESOLUTIONS

Senator Relph moved that the name of Senator Westrom be added as a co-author to S.F. No. 2138. The motion prevailed.

Senator Ruud moved that the name of Senator Clausen be added as a co-author to S.F. No. 2189. The motion prevailed.

Senator Ruud moved that the name of Senator Clausen be added as a co-author to S.F. No. 2258. The motion prevailed.

Senator Pratt moved that the name of Senator Wiger be added as a co-author to S.F. No. 2319. The motion prevailed.

Senators Dzedzic and Hayden introduced --

Senate Resolution No. 73: A Senate resolution congratulating the DeLaSalle High School boys basketball team on winning the 2017 State High School Class AAA boys basketball championship.

Referred to the Committee on Rules and Administration.

Senator Draheim introduced --

Senate Resolution No. 74: A Senate resolution congratulating John Bowman of Montgomery, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Draheim introduced --

Senate Resolution No. 75: A Senate resolution congratulating Daniel Turner of New Prague, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Rosen introduced --

Senate Resolution No. 76: A Senate resolution congratulating Justice Arthur Earl Badgley of Jackson, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Anderson P. introduced --

Senate Resolution No. 77: A Senate resolution honoring Education and Sharing Day in Minnesota on April 7, 2017, and recognizing the 55th Anniversary of Chabad Lubavitch.

Referred to the Committee on Rules and Administration.

Senator Gazelka moved that H.F. No. 140 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 140 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 140: A bill for an act relating to education; restructuring Minnesota's teacher licensing system; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding a subdivision; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.245, subdivisions 1, 2, 3, 5, 6, 9, 10; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1, 2; 122A.245, subdivisions 7, 8; 122A.25.

Senator Pratt moved to amend H.F. No. 140 as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1**PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

Section 1. Minnesota Statutes 2016, section 122A.06, subdivision 2, is amended to read:

Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional employee required to hold a license from the Professional Educator Licensing and Standards Board of Teaching.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 2. Minnesota Statutes 2016, section 122A.06, subdivision 3, is amended to read:

Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards Board of Teaching.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 3. Minnesota Statutes 2016, section 122A.07, is amended to read:

122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.

Subdivision 1. **Appointment of members.** The Professional Educator Licensing and Standards Board of Teaching consists of ~~11~~ nine members appointed by the governor, with the advice and consent of the senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term.

Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher education and the public, to be eligible for appointment to the Board of Teaching a person must be a teacher currently teaching in a Minnesota school and fully licensed for the position held and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment.~~ Each nominee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:

(1) ~~six~~ five teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four of whom must be teaching in a public school,~~ at least one of whom must be a teacher in a charter school, one of whom must be from a related service category licensed by the board, and one of whom must be licensed in either a geographic or license shortage area, and none of whom may be serving in an administrative function at a school district or school as of the effective date of this section;

(2) ~~one higher education representative, who must be a faculty member preparing teachers~~ one superintendent;

(3) one school ~~administrator~~ district human resources director; ~~and~~

(4) ~~three members of the public, two of whom must be present or former members of school boards~~ one elementary or secondary school principal; and

(5) one member of the public that may be a current or former school board member.

Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

(1) two members must be appointed for terms that expire January 1, 2019;

(2) two members must be appointed for terms that expire January 1, 2020;

(3) two members must be appointed for terms that expire January 1, 2021; and

(4) three members must be appointed for terms that expire January 1, 2022.

(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from the effective date of this section.

Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching during the course of completing a board term, the position of a member who leaves Minnesota or whose employment status changes to a category different from that from which appointed is deemed vacant.

Subd. 4. ~~**Administration, Terms, compensation; removal; vacancies.**~~ ~~The provision of staff, administrative services and office space; the review and processing of complaints; the setting of fees; the selection and duties of an executive secretary~~ director to serve the board; and other provisions relating to board operations not provided in this chapter are as provided in chapter 214. Membership terms, except as provided in subdivision 2a, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(b) The commissioner of administration must provide the board with administrative support services, according to section 16B.371.

(c) The commissioner of education must provide suitable offices and other space to the board at no cost until January 1, 2020. Thereafter, the board may contract with either the commissioner of education or the commissioner of administration for the provision of suitable offices and other space, joint conference and hearing facilities, and examination rooms.

Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional Educator Licensing and Standards Board may reimburse local school districts for the costs of substitute teachers employed when regular teachers are providing professional assistance to the state by serving on the board or on a committee or task force appointed by the board and charged to make recommendations concerning standards for teacher licensure in this state.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 122A.08, is amended to read:

122A.08 MEETINGS.

Subdivision 1. **Meetings.** The Professional Educator Licensing and Standards Board of Teaching must meet regularly at the times and places as the board determines. Meetings must be called by the chair or at the written request of any eight members.

Subd. 2. **Executive secretary director.** The Professional Educator Licensing and Standards Board of Teaching must have an executive secretary director who is in the unclassified civil service and who is not a member of the board. The executive director must fulfill the duties provided in section 122A.09, subdivision 6. The board must review the performance of the executive director and set the salary of the executive director, not to exceed the limit for a position listed in section 15A.0815, subdivision 2.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards Board of Teaching must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

Subd. 2. **Advise members of profession.** The Professional Educator Licensing and Standards Board must act in an advisory capacity to members of the profession in matters of interpretation of the code of ethics.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

Subd. 3. **Election of chair and officers.** The Professional Educator Licensing and Standards Board shall elect a chair and such other officers as it may deem necessary.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

Subd. 4. ~~License and rules~~ **Licensing.** (a) The Professional Educator Licensing and Standards Board must ~~adopt rules to license public school teachers and interns subject to chapter 14~~ license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its authority to make all licensing decisions with respect to candidates for teacher licensure. The board must evaluate candidates for

compliance with statutory or rule requirements for licensure and develop licensure verification requirements.

(b) The board must ~~require all candidates for teacher licensure to demonstrate~~ establish a passing score on a board-adopted skills examination in reading, writing, and mathematics, ~~as for a requirement for an initial professional five-year Tier 2, 3, or 4 teaching license, except that the board may issue up to four initial professional one-year teaching licenses to an otherwise qualified candidate who has not yet passed the board-adopted skills exam.~~ The board must require colleges and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the board-adopted skills examination, including those for whom English is a second language. The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. The Board of Teaching and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during their secondary or postsecondary education.

(c) The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.245, nonconventional programs, and Montessori teacher training programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. Among other components, teacher preparation programs may use the Minnesota State Colleges and Universities program model to provide a school-year-long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students ongoing mentorship, coaching, and assessment, help to prepare a professional development plan, and structured learning experiences. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning. The board's redesign rules must include creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college ready learning offerings.

~~(e) The board must adopt rules requiring candidates for professional five-year teaching licenses to pass establish a passing score for candidates on an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills for a Tier 2, 3, or 4 teaching license. The rules shall be effective by September 1, 2001.~~ The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

~~(g) The board must grant licenses to interns and to candidates for professional five-year teaching licenses based on appropriate professional competencies that are aligned with the board's licensing system and students' diverse learning needs. All teacher candidates must have preparation in English language development and content instruction for English learners in order to be able to effectively instruct the English learners in their classrooms. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students' diverse learning needs in the 21st century, recognizes the importance of cultural and linguistic competencies, including the ability to teach and communicate in culturally competent and aware ways, and formalizes mentoring and induction for newly licensed teachers provided through a teacher support framework.~~

~~(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.~~

~~(i) (h) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses. The board must require a licensed teacher who is renewing a professional five-year Tier 3 or 4 teaching license to include in the renewal requirements further preparation in English language development and specially designed content instruction in English for English learners.~~

~~(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.~~

~~(k) (i) The board must adopt rules that require all licensed teachers who are renewing their professional five-year Tier 3 or 4 teaching licenses to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.~~

~~(l) (j) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements~~

of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

~~(m)~~ (k) The board must adopt rules that require all licensed teachers who are renewing their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. ~~The rules do not take effect until they are approved by law.~~ Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

~~(n)~~ (l) The board must adopt rules that require all licensed teachers who are renewing their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period that are based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this paragraph, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications through the board's recognition of a teaching license from another state in a similar content field, completion of a state approved teacher preparation program, teaching experience as the teacher of record in a similar licensure field, depth of content knowledge, depth of content methods or general pedagogy, subject-specific professional development and contribution to the field, or classroom performance as determined by documented student growth on normed assessments or documented effectiveness on evaluations. The rules must adopt criteria for determining a "similar content field" and "similar licensure area."~~

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

Subd. 4a. **Teacher and administrator preparation and performance data; report.** (a) The Professional Educator Licensing and Standards Board of Teaching and the Board of School Administrators, in cooperation with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges and universities offering board-adopted teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Professional Educator Licensing and Standards Board of Teaching and the Board of School Administrators annually by June 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on a Web site hosted jointly by the boards.

(b) Publicly reported summary data on teacher preparation programs must include: student entrance requirements for each Professional Educator Licensing and Standards Board of

~~Teaching-approved~~ approved program, including grade point average for enrolling students in the preceding year; the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year; summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time resident and nonresident program graduates in the preceding year needed to complete the program; the current number and percent of students by program who graduated, received a standard Minnesota teaching license, and were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate; students' pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year; survey results measuring student and graduate satisfaction with the program in the preceding school year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; a standard measure of the satisfaction of school principals or supervising teachers with the student teachers assigned to a school or supervising teacher; and information under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include: summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time program graduates in the preceding year needed to complete the program; the current number and percent of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; the number of credits by graduate program that students in the preceding school year needed to complete to graduate; survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; and information under paragraphs (f) and (g). Program reporting must be consistent with section 122A.14, subdivision 10.

(d) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board of Teaching the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(e) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board of Teaching the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous

year through August 31 of the current year: the licensure areas in which the probationary teacher taught; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(f) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and the principal preparation program providing instruction to the principal or assistant principal.

(g) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

Subd. 6. **Register of persons licensed.** The executive ~~secretary~~ director of the Professional Educator Licensing and Standards Board of Teaching ~~shall~~ must keep a record of the proceedings of and a register of all persons licensed pursuant to the provisions of this chapter. The register must show the name, address, license number and the renewal of the license. The board must on July 1, of each year or as soon thereafter as is practicable, compile a list of such duly licensed teachers ~~and transmit a copy of the list to the board.~~ A copy of the register must be available during business hours at the office of the board to any interested person.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

Subd. 7. ~~Commissioner's assistance; Professional Educator Licensing and Standards Board money.~~ Professional Educator Licensing and Standards Board ~~The commissioner shall provide all necessary materials and assistance for the transaction of the business of the Board of Teaching and~~ All moneys received by the Professional Educator Licensing and Standards Board of Teaching shall be paid into the state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22, 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional Educator Licensing and Standards Board of Teaching shall be paid for from appropriations made to the Professional Educator Licensing and Standards Board of Teaching.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

Subd. 9. **Professional Educator Licensing and Standards Board may must adopt rules.** (a) The Professional Educator Licensing and Standards Board of Teaching ~~may~~ must adopt rules subject

to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16, 122A.17, 122A.18, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

(b) If a rule adopted by the board is in conflict with a session law or statute, the law or statute prevails. Terms adopted in rule must be clearly defined and must not be construed to conflict with terms adopted in statute or session law.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 13. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant waivers to its rules upon application by a school district or a charter school for purposes of implementing experimental programs in learning or management.

(b) To enable a school district or a charter school to meet the needs of students enrolled in an alternative education program and to enable licensed teachers instructing those students to satisfy content area licensure requirements, the Professional Educator Licensing and Standards Board of Teaching annually may permit a licensed teacher teaching in an alternative education program to instruct students in a content area for which the teacher is not licensed, consistent with paragraph (a).

(c) A special education license permission issued by the Professional Educator Licensing and Standards Board of Teaching for a primary employer's low-incidence region is valid in all low-incidence regions.

~~(d) The Board of Teaching may issue a one-year professional license under paragraph (a), which the board may renew two times, to allow a person holding a full credential from the American Montessori Society, a diploma from Association Montessori Internationale, or a certificate of completion from a program accredited by the Montessori Accreditation Council for Teacher Education to teach in a Montessori program operated by a school district or charter school.~~

~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow individuals who hold a bachelor's degree from an accredited postsecondary institution, demonstrate occupational competency based on at least three years of full-time work experience in business or industry, and enroll and make satisfactory progress in an alternative preparation program leading to certification as a career and technical education instructor to teach career and technical education courses offered by a school district or charter school. Consistent with this paragraph and section 136F.361, the Professional Educator Licensing and Standards Board of Teaching must strongly encourage approved college or university-based teacher preparation programs and institutions throughout Minnesota to develop alternative pathways for certifying and licensing high school career and technical education instructors and teachers, allowing such candidates to meet certification and licensure standards that demonstrate their content knowledge, classroom experience, and pedagogical practices and their qualifications based on a combination of occupational testing, professional certification or licensure, and long-standing work experience.~~

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 14. Minnesota Statutes 2016, section 122A.22, is amended to read:

122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.

No person shall be accounted a qualified teacher until the school district or charter school contracting with the person for teaching services verifies through the Minnesota education licensing system available on the ~~department~~ Professional Educator Licensing and Standards Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and 122A.44, subdivision 1.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 15. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's school districts and teacher preparation programs and report to the education committees of the legislature by February 1 of each odd-numbered year until 2020 on the status of teacher early retirement patterns, the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the substitute teacher shortage, including patterns and shortages in subject areas and the economic development regions of the state. The report must also include: aggregate data on teachers' self-reported race and ethnicity; data on how districts are making progress in hiring teachers and substitutes in the areas of shortage; and a five-year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five-year period.

Sec. 16. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

Subdivision 1. **Services provided.** ~~The commissioner of education with respect to the Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private Detective and Protective Agent Services; the Board of Peace Officer Standards and Training; and the commissioner of revenue with respect to the Board of Assessors, shall provide suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, consulting services relating to evaluation procedures and techniques, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. Investigative services shall be provided the boards by employees of the Office of Attorney General. The commissioner of health with respect to the health-related licensing boards shall provide mailing and office supply services and may provide other facilities and services listed in this subdivision at a central location upon request of the health-related licensing boards. The commissioner of commerce with respect to the remaining non-health-related licensing boards shall provide the above facilities and services at a central location for the remaining non-health-related licensing boards. The legal and investigative services for the boards shall be provided by employees of the attorney general assigned to the departments servicing the boards. Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation. Persons providing legal and investigative services shall to the extent practicable provide the services on a regular basis to the same board or boards.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 17. Minnesota Statutes 2016, section 214.045, is amended to read:

214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD OF TEACHING.

The commissioner of health and the health-related licensing boards must coordinate with the Professional Educator Licensing and Standards Board of Teaching when modifying licensure requirements for regulated persons in order to have consistent regulatory requirements for personnel who perform services in schools.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 18. **TRANSFER OF POWERS.**

(a) The creation of the Professional Educator Licensing and Standards Board shall be considered a transfer by law of the responsibilities of the Board of Teaching and the Minnesota Department of Education with respect to licensure and credentialing of teachers and school personnel to the Professional Educator Licensing and Standards Board for purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions associated with the responsibilities being transferred to the Professional Educator Licensing and Standards Board are transferred with their incumbents to the new agency pursuant to Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota Statutes, section 122A.07.

(b) The responsibilities of the Minnesota Department of Education with respect to licensure of school administrators are transferred by law to the Board of School Administrators for purposes of section 15.039.

(c) The Professional Educator Licensing and Standards Board must review all rules adopted by the Board of Teaching and amend or repeal rules not consistent with statute. The Professional Educator Licensing and Standards Board must review all teacher preparation programs approved by the Board of Teaching to determine whether the approved programs meet the needs of schools in Minnesota.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 19. **FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.**

The governor shall make appointments to the Professional Educator Licensing and Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor shall designate one member of the board to convene the first meeting by February 1, 2018, and to act as chair until the board elects a chair at its first meeting.

Sec. 20. **IMPLEMENTATION REPORT.**

By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.181. The report must include the number of applicants for license in each

tier, the number of applications granted and denied, summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure-related rules.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 21. **REVISOR INSTRUCTION.**

In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the term "Professional Educator Licensing and Standards Board" for "Board of Teaching" wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching. The revisor shall also make grammatical changes related to the change in terms.

ARTICLE 2

LICENSURE

Section 1. Minnesota Statutes 2016, section 122A.09, is amended by adding a subdivision to read:

Subd. 12. Endorsement; dual enrollment instruction. The Board of Teaching must issue an endorsement for dual enrollment instruction to a high school teacher licensed in a content-specific field who successfully completes the requirements for providing dual enrollment instruction in the teacher's licensure field, consistent with board-adopted standards. The board must adopt standards for this endorsement in consultation with eligible public postsecondary institutions participating in course agreements under section 124D.09, subdivision 10. The board-adopted standards for the endorsement must allow a secondary teacher that receives the endorsement to teach a dual credit course offered by any eligible postsecondary institution. The endorsement means a change in the teacher's license that allows the teacher to teach postsecondary college in the schools dual credit courses under section 124D.09, subdivision 10, at a high school.

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

Sec. 2. Minnesota Statutes 2016, section 122A.17, is amended to read:

122A.17 VALIDITY OF CERTIFICATES OR LICENSES.

(a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and Standards Board must not affect the validity of certificates or licenses to teach in effect on July 1, 1974, or the rights and privileges of the holders thereof, except that any such certificate or license may be suspended or revoked for any of the causes and by the procedures specified by law.

(b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional year after the date the license is scheduled to expire.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. Authority to license. (a) The Professional Educator Licensing and Standards Board of Teaching must license teachers, as defined in section 122A.15, subdivision 1, except for

supervisory personnel, as defined in section 122A.15, subdivision 2, issue teacher licenses to candidates who meet the qualifications prescribed by this chapter.

(b) The Board of School Administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

~~(e) Licenses under the jurisdiction of the Board of Teaching, the Board of School Administrators, and the commissioner of education must be issued through the licensing section of the department.~~

~~(d)~~ (c) The Professional Educator Licensing and Standards Board of Teaching and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern.

~~(e)~~ (d) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d), the Professional Educator Licensing and Standards Board of Teaching, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

Subd. 2. **Teacher and Support personnel qualifications.** (a) The Professional Educator Licensing and Standards Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions, including those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n).

(b) The board must ~~require a candidate for teacher licensure to demonstrate~~ establish a passing score on a board-adopted examination of skills in reading, writing, and mathematics, ~~before being~~ for a candidate to be granted a professional five-year Tier 2, 3, or 4 teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs; except that the board may issue up to four temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed a board-adopted skills exam. At the request of the employing school district or charter school, the Board of Teaching may issue an initial professional one-year teaching license to an otherwise qualified teacher not passing or demonstrating a passing score on a board-adopted skills examination in reading, writing, and mathematics. For purposes of this section, the initial professional one-year teaching license issued by the board is limited to the current subject or content matter the teacher is employed to teach and limited to the district or charter school requesting the initial professional one-year teaching license. If the board denies the request,

it must provide a detailed response to the school administrator as to the reasons for the denial. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on a board-adopted skills examination, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of candidates' deficiency. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on a board-adopted skills examination, and who received an initial professional one-year teaching license to teach in Minnesota. The board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking a board-adopted skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, and the candidates who have not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.

(c) ~~The Board of Teaching must grant professional five-year teaching licenses only to those persons who have met board criteria for that license, which includes passing a board-adopted skills examination in reading, writing, and mathematics, and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~ The requirement to pass a board-adopted reading, writing, and mathematics skills examination, does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a professional five-year teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.

(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. Among other requirements, teacher candidates must demonstrate the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in a regular classroom setting. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002, The Professional Educator Licensing and Standards Board of Teaching~~ must adopt rules providing for reading teacher licensure.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 3, is amended to read:

Subd. 3. **Supervisory and coach qualifications; code of ethics.** The ~~commissioner of education~~ Professional Educator Licensing and Standards Board must issue licenses under its jurisdiction to persons the ~~commissioner~~ board finds to be qualified and competent for their respective positions under the rules it adopts. The ~~commissioner of education~~ board may develop, by rule, a code of ethics for supervisory personnel covering standards of professional practices, including areas of ethical conduct and professional performance and methods of enforcement.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 3a, is amended to read:

Subd. 3a. **Technology strategies.** All colleges and universities approved by the board of ~~Teaching~~ to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to deliver digital and blended learning and curriculum and engage students with technology.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and Standards Board of Teaching may allow a person who is enrolled in and making satisfactory progress in a board-approved teacher program and who has successfully completed student teaching to be employed as a short-call substitute teacher.

(b) The Professional Educator Licensing and Standards Board of Teaching may issue a lifetime qualified short-call or long-call substitute teaching license to a person who:

(1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, and receives a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement Fund Association;

(2) holds an out-of-state teaching license and receives a retirement annuity as a result of the person's teaching experience; or

(3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, taught at least three school years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

A person holding a lifetime qualified short-call or long-call substitute teaching license is not required to complete continuing education clock hours. A person holding this license may reapply to the board for either:

(i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under section 122A.181, and must again complete continuing education clock hours one school year after receiving the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

(ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's degree, an associate's degree, or an appropriate professional credential in the content area the candidate will teach.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 9. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board of Teaching shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90 for an online application or \$86.40 for a paper application. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in section 122A.181.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 10. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards Board of Teaching and the commissioner of education the Board of School Administrators must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all first-time teaching applicants for licenses under their jurisdiction. Applicants must include with their licensure applications:

(1) an executed criminal history consent form, including fingerprints; and

(2) a money order or cashier's check payable to the Bureau of Criminal Apprehension for the fee for conducting the criminal history background check.

(b) The superintendent of the Bureau of Criminal Apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data as defined in section 13.87 and shall also conduct a search of the national criminal records repository. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The Professional Educator Licensing and Standards Board of Teaching or the commissioner of education Board of School Administrators may issue a license pending completion of a background check under this subdivision, but must notify the individual that the individual's license may be revoked based on the result of the background check. The individual must notify the school district or charter school that employs the individual as a teacher that the individual's license has been revoked.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 11. **[122A.181] TIERED LICENSURE SYSTEM.**

Subdivision 1. Professional Educator Licensing and Standards Board to issue licenses. (a) The Professional Educator Licensing and Standards Board must license teachers as defined in section

122A.15, subdivision 1. The tiered licensure system supersedes the licensure system implemented under Minnesota Statutes 2016, section 122A.18, and Minnesota Rules, part 8710.0300.

(b) The Professional Educator Licensing and Standards Board must issue a license to candidates who meet the qualifications prescribed by this chapter.

Subd. 2. **Licensure tiers.** The Professional Educator Licensing and Standards Board must issue a license to candidates who meet the qualifications for the appropriate tier according to the following table:

<u>License Name</u>	<u>Duration</u>	<u>Renewal</u>	<u>Qualifications</u>
<u>Tier 1 license</u>	<u>One year</u>	<u>Unlimited</u>	<p><u>At least one of the following:</u></p> <p><u>(1) for a license to teach career and technical education, at least one of the following:</u></p> <p><u>(i) an associate's degree in the content area;</u></p> <p><u>(ii) professional credential; or</u></p> <p><u>(iii) five years of work experience in the content area;</u></p> <p><u>or</u></p> <p><u>(2) for a license to teach in a content area not included in clause (1), a baccalaureate degree.</u></p> <p><u>A school board must demonstrate to the Professional Educator Licensing and Standards Board that it has posted the position for at least 30 days but was unable to hire a teacher with a Tier 2, 3, or 4 license for the position and that the candidate has the necessary skills and knowledge to teach in a specified content area.</u></p> <p><u>A candidate meeting the above qualifications must be granted a Tier 1 license upon the request of the employing school board or charter school board.</u></p> <p><u>Years worked with a Tier 1 license do not count towards the candidate's continuing contract under section 122A.40 or 122A.41.</u></p> <p><u>Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.</u></p>
<u>Tier 2 license</u>	<u>Two year</u>	<u>Up to two</u>	<p><u>Meets Tier 1 qualifications and at least one of the following:</u></p> <p><u>(1) enrolled in and making satisfactory progress in a Professional Educator Licensing and Standards Board approved teacher preparation program;</u></p> <p><u>(2) passing scores on all required skills, content area, and pedagogy licensure exams; or</u></p> <p><u>(3) master's degree in content area.</u></p>

			<u>A school board must confirm that the candidate has the necessary skills and knowledge to teach in a specified content area.</u>
			<u>Years worked with a Tier 2 license only count towards the candidate's continuing contract under section 122A.40 or 122A.41, if the candidate subsequently obtains a Tier 3 or Tier 4 license.</u>
			<u>Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.</u>
<u>Tier 3 license</u>	<u>Three years</u>	<u>One</u>	<u>Meets Tier 1 qualifications and at least one of the following:</u>
			<u>(1) successful completion of a Professional Educator Licensing and Standards Board approved teacher preparation program;</u>
			<u>(2) successful completion of an out-of-state teacher preparation program that includes field-specific methods training and field-specific student teaching;</u>
			<u>(3) an out-of-state professional teaching license in good standing;</u>
			<u>(4) passing scores on all required skills, content area, and pedagogy licensure exams; or</u>
			<u>(5) National Board for Professional Teaching Standards certification.</u>
			<u>And meets at least one of the following criteria:</u>
			<u>(1) 12 weeks of student teaching experience;</u>
			<u>(2) two years of field-specific teaching experience;</u>
			<u>or</u>
			<u>(3) completion of a comprehensive teacher mentoring program offered by a Minnesota school.</u>
			<u>Must participate in a school district's evaluation program that includes an individual growth and development plan.</u>
<u>Tier 4 license</u>	<u>Five years</u>	<u>Unlimited</u>	<u>Meets Tier 3 qualifications and the following:</u>
			<u>(1) at least three years teaching experience in any state; and</u>
			<u>(2) passing scores on all required skills, content area, and pedagogy licensure exams.</u>
			<u>Must participate in a school district's evaluation program that includes an individual growth and development plan.</u>

Subd. 3. **Assessment alternatives.** A Tier 3 or Tier 4 teacher licensure candidate that fails, after two attempts, to obtain a passing score on the board-adopted skills examination in reading, writing,

and mathematics may demonstrate to the board that they have attained the required skills by either of the following:

(1) completing a portfolio using board-adopted standards; or

(2) teaching for three years in a Minnesota school with at least one summative teacher evaluation and showing satisfactory evidence of successful teaching according to section 122A.40, subdivision 8, or section 122A.41, subdivision 5.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 12. **[122A.187] EXPIRATION AND RENEWAL.**

Subdivision 1. **License form requirements.** Each license issued under this chapter must bear the date of issue and the name of the state-approved teacher training provider or alternative teaching program, as applicable. Licenses must expire and be renewed according to rules adopted by the Professional Educator Licensing and Standards Board or the Board of School Administrators. Requirements for renewing a Tier 3 or 4 license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as required under this section, or as the Professional Educator Licensing and Standards Board prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The Professional Educator Licensing and Standards Board shall establish requirements for renewing the licenses of athletic coaches.

Subd. 2. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4 license who have been employed as a teacher during the renewal period of the expiring license, as a condition of license renewal, must present to the Professional Educator Licensing and Standards Board evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a.

(b) The Professional Educator Licensing and Standards Board must ensure that its teacher relicensing requirements include paragraph (a).

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 13. **[122A.188] LICENSURE DENIAL; APPEAL.**

Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards Board must inform a candidate within 30 days of receiving a completed application whether the candidate's application for an initial teaching license or renewal of license has been approved or denied. When an application is denied, the notification letter must inform the candidate of the process for seeking review of the denial and of the appeals process provided in this section, including all deadlines for seeking review of the denial decision and filing an appeal. The notification letter must identify each licensure requirement the candidate failed to meet.

(b) For purposes of this section, the term "denial" means denial of an initial license or a denial of a renewal license. Denial of an initial license includes a grant of a license that is a lower tier than the candidate applied for and denial of application for an additional field of licensure.

Subd. 2. **Review of denial.** A candidate whose license application is denied may seek review of the denial by submitting a letter to the Professional Educator Licensing and Standards Board within 30 calendar days of receipt of the denial letter. The candidate may include any documentation necessary to demonstrate that the candidate meets the licensure requirements. The board must review the denial within 60 calendar days of receipt of the letter seeking review. If the board affirms the denial, the board must send the candidate a letter identifying each licensure requirement the candidate failed to meet and informing the candidate of the appeal process provided under this section.

Subd. 3. **Appeal.** A candidate whose application for license or license renewal has been denied under subdivisions 1 and 2 may appeal the decision by filing a written request with the Professional Educator Licensing and Standards Board within 30 days of notice that the board has affirmed the denial of license. The board must then initiate a contested case under the Administrative Procedure Act, sections 14.001 to 14.69.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 14. Minnesota Statutes 2016, section 122A.19, is amended to read:

**122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;
LICENSES.**

Subdivision 1. **Bilingual and English as a second language licenses.** The Professional Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant teaching licenses in bilingual education and English as a second language to persons who present satisfactory evidence that they:

~~(a)~~ (1) possess competence and communicative skills in English and in another language;

~~(b)~~ (2) possess a bachelor's degree or other academic degree approved by the board, and meet such requirements as to course of study and training as the board may prescribe, consistent with subdivision 4; and

(3) meet all other requirements for a teaching license provided in section 122A.18.

Subd. 2. **Persons holding general teaching licenses.** The board may license a person who holds a ~~general~~ teaching license in any tier under section 122A.181, and who presents the board with satisfactory evidence of competence and communicative skills in a language other than English under this section.

Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual and English as a second language teachers, the board may approve programs at colleges or universities designed for their training. These programs must provide instruction in implementing research-based practices designed specifically for English learners. The programs must focus on developing English learners' academic language proficiency in English, including oral academic language, giving English learners meaningful access to the full school curriculum, developing culturally relevant teaching practices

appropriate for immigrant students, and providing more intensive instruction and resources to English learners with lower levels of academic English proficiency and varied needs, consistent with section 124D.59, subdivisions 2 and 2a.

Subd. 5. **Persons eligible for employment.** Any person licensed under this section is eligible for employment by a school board as a teacher in a bilingual education or English as a second language program in which the language for which the person is licensed is taught or used as a medium of instruction. A board may prescribe only those additional qualifications for teachers licensed under this section that are approved by the board of teaching.

Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program positions, districts must give preference to and make affirmative efforts to seek, recruit, and employ persons who (1) are native speakers of the language which is the medium of instruction in the bilingual education program or share a native language with the majority of their students, and (2) share the culture of the English learners enrolled in the program. The district shall provide procedures for involving the parent advisory committees in designing the procedures for recruiting, screening, and selecting applicants. This section must not be construed to limit the school board's authority to hire and discharge personnel.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 15. Minnesota Statutes 2016, section 122A.20, subdivision 1, is amended to read:

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

- (1) immoral character or conduct;
- (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) gross inefficiency or willful neglect of duty;
- (4) failure to meet licensure requirements; or
- (5) fraud or misrepresentation in obtaining a license.

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

(b) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23,

subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352, interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, possessing pornographic works involving a minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

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

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

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 16. Minnesota Statutes 2016, section 122A.20, subdivision 2, is amended to read:

Subd. 2. **Mandatory reporting.** A school board must report to the Professional Educator Licensing and Standards Board of Teaching, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent

to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

The licensing board to which a report is made must transmit to the Attorney General's Office any record or data it receives under this subdivision for the sole purpose of having the Attorney General's Office assist that board in its investigation. When the Attorney General's Office has informed an employee of the appropriate licensing board in writing that grounds exist to suspend or revoke a teacher's license to teach, that licensing board must consider suspending or revoking or decline to suspend or revoke the teacher's or administrator's license within 45 days of receiving a stipulation executed by the teacher or administrator under investigation or a recommendation from an administrative law judge that disciplinary action be taken.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 17. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

Subd. 2. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards Board must develop a process for an eligible candidate ~~may use licensure via portfolio~~ to obtain a ~~professional five-year teaching~~ any teacher license under section 122A.181, or to add a licensure field, ~~consistent with applicable Board of Teaching licensure rules~~ via portfolio.

(b) A candidate for a ~~professional five-year teaching~~ license must submit to the ~~Educator Licensing Division at the department~~ board one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the ~~Educator Licensing Division at the department~~ board one portfolio demonstrating content competence for each field the candidate seeks to add.

(d) The board ~~of Teaching~~ must notify a candidate who submits a portfolio under paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not the portfolio was approved. If the portfolio was not approved, the board must immediately inform the candidate how to revise the portfolio to successfully demonstrate the requisite competence. The candidate may resubmit a revised portfolio at any time and the ~~Educator Licensing Division at the department~~ board must approve or disapprove the revised portfolio within 60 calendar days of receiving it.

(e) A candidate must pay to the executive secretary of the board ~~of Teaching~~ a \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio submitted subsequently. The revenue generated from the fee must be deposited in an education licensure portfolio account in the special revenue fund. The fees set by the board ~~of Teaching~~ are nonrefundable for applicants not qualifying for a license. The board ~~of Teaching~~ may waive or reduce fees for candidates based on financial need.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 18. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding any other law to the contrary, the Professional Educator Licensing and Standards Board of Teaching must enter into a National Association of State Directors of Teacher Education and Certification (NASDTEC) interstate agreement and other interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.

(b) The Professional Educator Licensing and Standards Board of Teaching must work with designated authorities in adjoining states to establish interstate teacher licensure agreements under this section.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 19. **[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) A candidate that completes an approved program must apply for a license under the tiered licensure system according to section 122A.181.

(b) 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.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 20. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** A person who teaches in a community education program which qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements as a teacher. A person who teaches in an early childhood and family education program which is offered through a community education program and which qualifies for community education aid pursuant to section 124D.20 or early childhood and family education aid pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A person who teaches in a community education course which is offered for credit for graduation to persons under 18 years of age shall continue to meet licensure requirements as a teacher. A person who teaches a driver training course which is offered through a community education program to persons under 18 years of age shall be licensed by the Professional Educator Licensing and Standards Board ~~of Teaching~~ or be subject to section 171.35. A license which is required for an instructor in a community education program pursuant to this subdivision shall not be construed to bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 21. Minnesota Statutes 2016, section 122A.28, is amended to read:

122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS; LICENSURE REQUIREMENTS.

Subdivision 1. **K-12 license to teach deaf and hard-of-hearing students; relicensure.** (a) The Professional Educator Licensing and Standards Board ~~of Teaching~~ must review and determine appropriate licensure requirements for a candidate for a license or an applicant for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through grade 12. In addition to other requirements, a candidate must demonstrate the minimum level of proficiency in American sign language as determined by the board.

(b) Among other relicensure requirements, each teacher under this section must complete 30 continuing education clock hours on hearing loss topics, including American Sign Language, American Sign Language linguistics, or deaf culture, in each licensure renewal period.

Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The Professional Educator Licensing and Standards Board of Teaching shall adopt a separate licensure rule for a candidate for a license or an applicant for a continuing license to teach in oral/aural deaf education programs or to provide services, including itinerant oral/aural deaf education services, to deaf and hard-of-hearing students in prekindergarten through grade 12.

(b) The board shall design rule requirements for teaching oral/aural deaf education in collaboration with representatives of parents and educators of deaf and hard-of-hearing students, postsecondary programs preparing teachers of deaf and hard-of-hearing students, and the Department of Education.

(c) Rule requirements for teaching oral/aural deaf education shall reflect best practice research in oral/aural deaf education. Advanced competencies in teaching deaf and hard-of-hearing students through oral/aural modes shall be included.

(d) Licensure requirements for teachers of oral/aural deaf education must include minimum competency in American sign language, but are not subject to the guidelines established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998, chapter 398, article 2, section 47. The signed communication proficiency interview shall not be required for teachers licensed to teach deaf and hard-of-hearing students through oral/aural deaf education methods.

(e) Requirements for teachers of oral/aural deaf education shall include appropriate continuing education requirements for renewing this licensure.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 22. Minnesota Statutes 2016, section 122A.29, is amended to read:

122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS; LICENSURE REQUIREMENTS.

Teachers licensed in the education of blind and visually impaired students must demonstrate competence in reading and writing Braille. The Professional Educator Licensing and Standards Board of Teaching, at such time as a valid and reliable test is available, shall adopt a rule to assess these competencies that is consistent with the standards of the National Library Services for the Blind and Physically Handicapped.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 23. Minnesota Statutes 2016, section 122A.30, is amended to read:

122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION INSTRUCTORS.

(a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local employer school board, a person who teaches in a part-time vocational or career and technical education program is exempt from a license requirement. Nothing in this section shall exclude licensed career and technical educators from the definition of "teacher" in section 122A.40, 122A.41, or 179A.03.

(b) This section expires June 30, 2020. After this section expires, persons who teach in a part-time vocational or career and technical education program may apply for a teaching license provided in section 122A.18.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 24. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its early childhood family education programs. ~~The Board of Teaching, at its discretion, may grant an applicant a variance under this subdivision, consistent with sections 122A.09, subdivision 10, and 122A.25, and Board of Teaching rules.~~

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 25. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services rendered or for costs incurred in career and technical education programs approved by the commissioner and operated in accordance with rules promulgated by the commissioner. This aid shall be paid only for services rendered and for costs incurred by essential, licensed personnel who meet the requirements for licensure pursuant to the rules of the Minnesota Professional Educator Licensing and Standards Board of Teaching. Licensed personnel means persons holding a valid career and technical license issued by the ~~commissioner~~ Professional Educator Licensing and Standards Board under section 122A.30. If an average of five or fewer secondary full-time equivalent students are enrolled per teacher in an approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed personnel means persons holding a valid vocational license issued by the commissioner or the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding section 127A.42, the commissioner may modify or withdraw the program or aid approval and withhold aid under this section without proceeding under section 127A.42 at any time. To do so, the commissioner must determine that the program does not comply with rules of the Department of Education or that any facts concerning the program or its budget differ from the facts in the district's approved application.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

Subdivision 1. **American Indian language and culture education licenses.** The Professional Educator Licensing and Standards Board of Teaching, in consultation with the Tribal Nations Education Committee, must grant initial and continuing teaching licenses in American Indian language and culture education that bear the same duration as other initial and continuing licenses. The board must grant licenses to persons who present satisfactory evidence that they:

(1) possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture; or

(2) possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, tribal resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district, participating school, or an American Indian school.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 27. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under this section shall be eligible for employment by a school board or a participating school as a teacher in an American Indian education program in which the American Indian language or culture in which the person is licensed is taught. A school district or participating school may prescribe only those additional qualifications for teachers licensed under this section as are approved by the Professional Educator Licensing and Standards Board of Teaching. Any school board or participating school upon request may be exempted from the licensure requirements of this section in the hiring of one or more American Indian language and culture education teachers for any school year in which compliance would, in the opinion of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship in the securing of the teachers.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 28. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to the licensure standards of the Professional Educator Licensing and Standards Board of Teaching ~~or the commissioner of education~~. An administrator at the academies is subject to the licensure standards of the Board of School Administrators.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 29. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given them in this subdivision.

(b) "Qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational and living expenses related to a teacher's preparation or further education.

(c) "School district" means an independent school district, special school district, intermediate district, education district, special education cooperative, service cooperative, a cooperative center for vocational education, or a charter school located in Minnesota.

(d) "Teacher" means an individual holding a teaching license issued by the ~~licensing division in the Department of Education on behalf of the Board of Teaching~~ Professional Educator Licensing and Standards Board who is employed by a school district to provide classroom instruction in a teacher shortage area.

(e) "Teacher shortage area" means the licensure fields and economic development regions reported by the commissioner of education as experiencing a teacher shortage.

(f) "Commissioner" means the commissioner of the Office of Higher Education unless indicated otherwise.

EFFECTIVE DATE. This section is effective July 1, 2018.

Sec. 30. **TEACHER OF SPECIAL EDUCATION LICENSE REVIEW.**

The Professional Educator Licensing and Standards Board must conduct a review of all the available teacher of special education licenses and determine the options for cross-categorical licenses for teachers of special education. The board must report its findings and draft legislation, if needed, to the legislative committees having jurisdiction over kindergarten through grade 12 education by December 14, 2018.

Sec. 31. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

Subdivision 1. **One-year license.** A one-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 1 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 2 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 3. **Three-year license.** A three-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 3 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 4 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 32. **RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST LICENSURE.**

No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules, part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses under that part may be issued and renewed according to rules of the Board of Teaching governing continuing licenses and without requiring the candidate to hold or be recommended for licensure in any other licensure field. The board shall use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided in Minnesota Statutes, section 14.388.

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

Sec. 33. **REPEALER.**

Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, and 7; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

ARTICLE 3

NONTEACHER CREDENTIALING

Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board of Teaching must adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Any paraprofessional holding this credential or working in a local school district after meeting a state-approved local assessment is considered to be highly qualified under federal law. Under this subdivision, the Professional Educator Licensing and Standards Board of Teaching, in consultation with the commissioner, must adopt qualitative criteria for approving local assessments that include an evaluation of a paraprofessional's knowledge of reading, writing, and math and the paraprofessional's ability to assist in the instruction of reading, writing, and math. The commissioner must approve or disapprove local assessments using these criteria. The commissioner must make the criteria available to the public.

EFFECTIVE DATE. This section is effective July 1, 2018."

Delete the title and insert:

"A bill for an act relating to education; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06, subdivisions 2, 3; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10, by adding a subdivision; 122A.17; 122A.18, subdivisions 1, 2, 2b, 3, 3a, 7a, 7c, 8; 122A.19; 122A.20, subdivisions 1, 2; 122A.21, subdivision 2; 122A.22; 122A.23, subdivision 3; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivision 1; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23, subdivisions 1, 2; 122A.245; 122A.25."

The motion prevailed. So the amendment was adopted.

Senator Eichorn moved to amend the Pratt amendment to H.F. No. 140, adopted by the Senate April 20, 2017, as follows:

Page 11, after line 21, insert:

"(c) The board must include a description of a proposed rule's probable effect on teacher supply and demand in the board's statement of need and reasonableness under section 14.131."

The motion prevailed. So the amendment was adopted.

H.F. No. 140 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 44 and nays 21, as follows:

Those who voted in the affirmative were:

Abeler	Fischbach	Jasinski	Limmer	Rosen
Anderson, B.	Franzen	Jensen	Little	Ruud
Anderson, P.	Frentz	Johnson	Mathews	Senjem
Benson	Gazelka	Kent	Miller	Utke
Chamberlain	Goggin	Kiffmeyer	Nelson	Weber
Clausen	Hall	Klein	Newman	Westrom
Dahms	Hoffman	Koran	Osmek	Wiger
Draheim	Housley	Laine	Pratt	Wiklund
Eichorn	Ingebrigtsen	Lang	Relph	

Those who voted in the negative were:

Bakk	Dziedzic	Isaacson	Pappas	Torres Ray
Carlson	Eaton	Latz	Schoen	
Champion	Eken	Lourey	Simonson	
Cohen	Hawj	Marty	Sparks	
Cwodzinski	Hayden	Newton	Tomassoni	

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

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

S.F. No. 799, H.F. Nos. 792 and 600.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Benson	Clausen	Draheim	Eken
Anderson, B.	Carlson	Cohen	Dziedzic	Fischbach
Anderson, P.	Chamberlain	Cwodzinski	Eaton	Franzen
Bakk	Champion	Dahms	Eichorn	Frentz

Gazelka	Jasinski	Latz	Newton	Simonson
Goggin	Jensen	Limmer	Osmek	Sparks
Hall	Johnson	Little	Pappas	Tomassoni
Hawj	Kent	Lourey	Pratt	Torres Ray
Hayden	Kiffmeyer	Marty	Relph	Utke
Hoffman	Klein	Mathews	Rosen	Weber
Housley	Koran	Miller	Ruud	Westrom
Ingebrigtsen	Laine	Nelson	Schoen	Wiger
Isaacson	Lang	Newman	Senjem	Wiklund

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 792: A bill for an act relating to construction codes; requiring the commissioner to amend rules relating to fire sprinklers.

Senator Draheim moved that the amendment made to H.F. No. 792 by the Committee on Rules and Administration in the report adopted March 30, 2017, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Draheim moved to amend H.F. No. 792 as follows:

Page 1, line 10, after the period, insert "Notwithstanding Minnesota Statutes, section 326B.13, subdivision 8, the amendments to Minnesota Rules, part 1309.0313, shall be effective on the date of publication in the State Register."

The motion prevailed. So the amendment was adopted.

H.F. No. 792 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 600: A bill for an act relating to employment; providing uniformity for employment mandates on private employers; proposing coding for new law in Minnesota Statutes, chapter 181.

Senator Miller moved to amend H.F. No. 600, as amended pursuant to Rule 45, adopted by the Senate March 7, 2017, as follows:

(The text of the amended House File is identical to S.F. No. 580.)

Page 2, line 6, delete the second comma and insert "or"

Page 2, line 7, delete everything after "employment" and insert a period

Page 2, line 9, delete "working conditions,"

The motion prevailed. So the amendment was adopted.

H.F. No. 600 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

MEMBERS EXCUSED

Senator Dibble was excused from the Session of today. Senator Rest was excused from the Session of today from 11:25 a.m. to 12:35 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, April 24, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

