

SIXTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, March 8, 2018

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. Carol J. Tomer.

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

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

February 28, 2018

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Pursuant to Rule 10.6 of Temporary Rules of the Senate, we hereby make the following change in committee membership:

Committee on E-12 Finance - remove Senator Pratt as Vice Chair and name Senator Dahms as Vice Chair. Senator Pratt will remain on the committee.

Thank you for your attention to this matter.

Sincerely,
Paul E. Gazelka
Chair, Committee on Rules and
Administration
MN Senate, District 9

Thomas M. Bakk
Senate DFL Leader
MN Senate, District 3

March 5, 2018

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The Subcommittee on Committees met on March 5, 2018, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes

3.85: Legislative Commission on Pensions and Retirement - Senator Frenz to serve until January 16, 2019. Senator Frenz is replacing Senator Schoen.

3.8843: Legislative Commission on Data Practices - Senator Clausen to serve until January 1, 2019. Senator Clausen is replacing Senator Schoen.

15.0145: Council on Asian-Pacific Minnesotans - Senator Laine to serve at the pleasure of the appointing authority.

16B.27: Governor's Residency Council - Senator Housley to serve at the pleasure of the appointing authority.

Pursuant to Minnesota Session Laws 2017

1st Special Session, Chapter 4, article 2, section 59: Legislative Budget Office Transition Planning Task Force - Senators Kiffmeyer and Cohen to serve at the pleasure of the appointing authority.

Pursuant to Senate Resolution

No. 122: relating to the establishment of the Select Committee on Health Care Consumer Access and Affordability - Senators Jensen, Rosen, Wiklund, Draheim, Frentz, Kiffmeyer, Klein, Pratt, and Sparks to serve until the adjournment sine die of the 2018 Senate, 90th Session. Senator Jensen is appointed Chair, Senator Rosen is appointed Vice Chair, and Senator Wiklund is appointed as Minority Lead.

Sincerely,
Paul E. Gazelka
Chair, Subcommittee on Committees
State Senator, District 9

REPORTS OF COMMITTEES

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

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

S.F. No. 2491: A bill for an act relating to government accountability; providing for state and local government settlement accountability and transparency; requiring reports; proposing coding for new law in Minnesota Statutes, chapters 3; 15; 465.

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

Page 1, delete subdivision 1

Page 1, line 11, delete "Subd. 2" and insert "Subdivision 1"

Page 1, after line 15, insert:

"Subd. 2. **Reports on settlements.** (a) By January 15, 2019, and annually thereafter, the secretary of the senate, the chief clerk of the house of representatives, and the executive director of the Legislative Coordinating Commission shall submit to the chair and ranking minority member of the Legislative Coordinating Commission, and make available to the public on the legislature's Web site, a report on all payments made with public funds for the previous calendar year for awards and settlements in connection with an allegation of employee or employer misconduct by any person employed in or serving as a member of the senate, house of representatives, or joint offices of the legislature. The report must include:

(1) the amount paid for each award or settlement, including attorney fees and related costs;

(2) the source of the public funds used for the award or settlement; and

(3) the legislative body or office that is a party to the settlement and the name of the individual who allegedly committed the violation.

(b) The report under paragraph (a) must not disclose the identity of any individual who received an award or settlement, or who made the allegation of misconduct against the legislature.

(c) For the purposes of this section:

(1) "employee or employer misconduct" means conduct by an employee, employer, or legislator resulting in an award or settlement in connection with negligent, reckless, or intentional conduct, on or off the job, that displays a serious violation of the standards of behavior expected of an employee or employer; and

(2) "public funds" means all general, special, permanent, trust, and others funds, regardless of source or purpose, held or administered by the legislative branch."

Page 2, line 14, delete "an act of employee or employer misconduct" and insert ""employee or employer misconduct""

Page 3, line 7, delete "an act of employee or employer misconduct" and insert ""employee or employer misconduct""

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

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

S.F. No. 2524: A bill for an act relating to state government; establishing the Task Force on Charitable Gambling Taxation; appropriating money.

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

Page 1, line 9, delete "seven" and insert "nine"

Page 1, line 15, delete "and"

Page 1, after line 15, insert:

"(4) the commissioner of revenue or a person designated by the commissioner of revenue; and"

Page 1, line 16, delete "(4) two" and insert "(5) three" and delete "which" and insert "whom"

Page 1, line 20, delete "Terms;"

Page 2, line 2, delete "gross profits" and insert "financial sustainability"

Page 2, line 12, delete everything after "The" and insert "members selected by the trade association"

Page 2, line 17, delete "February 15, 2019" and insert "December 15, 2018"

Page 2, line 24, delete "March" and insert "January"

Page 3, line 2, delete "2018" and insert "2019"

Page 3, line 4, delete everything after the first period

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

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

S.F. No. 2578: A bill for an act relating to public safety; modifying the schedules of controlled substances; amending Minnesota Statutes 2016, section 152.02, subdivision 5; Minnesota Statutes 2017 Supplement, section 152.02, subdivision 2.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

CONTROLLED SUBSTANCE-RELATED CHANGES

Section 1. Minnesota Statutes 2017 Supplement, section 152.02, subdivision 2, is amended to read:

Subd. 2. **Schedule I.** (a) Schedule I consists of the substances listed in this subdivision.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following substances, including their analogs, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters, ethers, and salts is possible:

- (1) acetylmethadol;
- (2) allylprodine;
- (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl acetate);
- (4) alphameprodine;
- (5) alphamethadol;
- (6) alpha-methylfentanyl benzethidine;
- (7) betacetylmethadol;
- (8) betameprodine;
- (9) betamethadol;
- (10) betaprodine;
- (11) clonitazene;
- (12) dextromoramide;

- (13) diampromide;
- (14) diethylambutene;
- (15) difenoxin;
- (16) dimenoxadol;
- (17) dimepheptanol;
- (18) dimethylambutene;
- (19) dioxaphetyl butyrate;
- (20) dipipanone;
- (21) ethylmethylthiambutene;
- (22) etonitazene;
- (23) etoxeridine;
- (24) furethidine;
- (25) hydroxypethidine;
- (26) ketobemidone;
- (27) levomoramide;
- (28) levophenacylmorphane;
- (29) 3-methylfentanyl;
- (30) acetyl-alpha-methylfentanyl;
- (31) alpha-methylthiofentanyl;
- (32) benzylfentanyl beta-hydroxyfentanyl;
- (33) beta-hydroxy-3-methylfentanyl;
- (34) 3-methylthiofentanyl;
- (35) thenylfentanyl;
- (36) thiofentanyl;
- (37) para-fluorofentanyl;
- (38) morpheridine;

- (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- (40) noracymethadol;
- (41) norlevorphanol;
- (42) normethadone;
- (43) norpipanone;
- (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- (45) phenadoxone;
- (46) phenampromide;
- (47) phenomorphan;
- (48) phenoperidine;
- (49) piritramide;
- (50) proheptazine;
- (51) properidine;
- (52) propiram;
- (53) racemoramide;
- (54) tilidine;
- (55) trimeperidine;
- (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- (57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-methylbenzamide(U47700);
~~and~~
- (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanyl fentanyl); and
- (59) 4-(4-bromophenyl)-4-dimethylamino-1-phenethylcyclohexanol (bromadol).

(c) Opium derivatives. Any of the following substances, their analogs, salts, isomers, and salts of isomers, unless specifically excepted or unless listed in another schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- (1) acetorphine;
- (2) acetyldihydrocodeine;
- (3) benzylmorphine;

- (4) codeine methylbromide;
- (5) codeine-n-oxide;
- (6) cyprenorphine;
- (7) desomorphine;
- (8) dihydromorphine;
- (9) drotebanol;
- (10) etorphine;
- (11) heroin;
- (12) hydromorphinol;
- (13) methyldesorphine;
- (14) methyldihydromorphine;
- (15) morphine methylbromide;
- (16) morphine methylsulfonate;
- (17) morphine-n-oxide;
- (18) myrophine;
- (19) nicocodeine;
- (20) nicomorphine;
- (21) normorphine;
- (22) pholcodine; and
- (23) thebacon.

(d) Hallucinogens. Any material, compound, mixture or preparation which contains any quantity of the following substances, their analogs, salts, isomers (whether optical, positional, or geometric), and salts of isomers, unless specifically excepted or unless listed in another schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- (1) methylenedioxy amphetamine;
- (2) methylenedioxymethamphetamine;
- (3) methylenedioxy-N-ethylamphetamine (MDEA);
- (4) n-hydroxy-methylenedioxyamphetamine;

- (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- (7) 4-methoxyamphetamine;
- (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- (9) alpha-ethyltryptamine;
- (10) bufotenine;
- (11) diethyltryptamine;
- (12) dimethyltryptamine;
- (13) 3,4,5-trimethoxyamphetamine;
- (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- (15) ibogaine;
- (16) lysergic acid diethylamide (LSD);
- (17) mescaline;
- (18) parahexyl;
- (19) N-ethyl-3-piperidyl benzilate;
- (20) N-methyl-3-piperidyl benzilate;
- (21) psilocybin;
- (22) psilocyn;
- (23) tenocyclidine (TCP or TCP);
- (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);

- (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine (2-CB-FLY);
- (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- (40) alpha-methyltryptamine (AMT);
- (41) N,N-diisopropyltryptamine (DiPT);
- (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);

- (57) methoxetamine (MXE);
- (58) 5-iodo-2-aminoindane (5-IAI);
- (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- (65) N,N-Dipropyltryptamine (DPT);
- (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylmorketamine, ethketamine, NENK);
- (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

(e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant, and every compound, manufacture, salts, derivative, mixture, or preparation of the plant, its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian Church, and members of the American Indian Church are exempt from registration. Any person who manufactures peyote for or distributes peyote to the American Indian Church, however, is required to obtain federal registration annually and to comply with all other requirements of law.

(f) Central nervous system depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- (1) mecloqualone;

(2) methaqualone;

(3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;

(4) flunitrazepam; and

(5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine, methoxyketamine).

(g) Stimulants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

(1) aminorex;

(2) cathinone;

(3) fenethylamine;

(4) methcathinone;

(5) methylaminorex;

(6) N,N-dimethylamphetamine;

(7) N-benzylpiperazine (BZP);

(8) methylmethcathinone (mephedrone);

(9) 3,4-methylenedioxy-N-methylcathinone (methylone);

(10) methoxymethcathinone (methedrone);

(11) methylenedioxypropylamphetamine (MDPV);

(12) 3-fluoro-N-methylcathinone (3-FMC);

(13) methylethcathinone (MEC);

(14) 1-benzofuran-6-ylpropan-2-amine (6-APB);

(15) dimethylmethcathinone (DMMC);

(16) fluoroamphetamine;

(17) fluoromethamphetamine;

(18) α -methylaminobutyrophenone (MABP or buphedrone);

(19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);

- (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or naphyrone);
- (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- (25) 4-methyl-N-ethylcathinone (4-MEC);
- (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- (29) 4-fluoro-N-methylcathinone (4-FMC);
- (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- (31) alpha-pyrrolidinobutiophenone (α -PBP);
- (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB); and
- (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP); and

~~(38)~~ (39) any other substance, except bupropion or compounds listed under a different schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

(i) by substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(ii) by substitution at the 3-position with an acyclic alkyl substituent;

(iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically excepted or unless listed in another schedule, any natural or synthetic material, compound, mixture, or preparation that contains any quantity of the following substances, their analogs, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, or salts is possible:

(1) marijuana;

(2) tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis*, synthetic equivalents of the substances contained in the cannabis plant or in the resinous extractives of the plant, or synthetic substances with similar chemical structure and pharmacological activity to those substances contained in the plant or resinous extract, including, but not limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4 cis or trans tetrahydrocannabinol;

(3) synthetic cannabinoids, including the following substances:

(i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples of naphthoylindoles include, but are not limited to:

(A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

(B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

(C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

(D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

(E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

(F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

(G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

(H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

(I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

(J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

(ii) Naphthylmethylindoles, which are any compounds containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples of naphthylmethylindoles include, but are not limited to:

(A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

(B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

(iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Examples of naphthoylpyrroles include, but are not limited to, (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

(iv) Naphthylmethylindenes, which are any compounds containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent. Examples of naphthylmethylindenes include, but are not limited to, E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

(v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Examples of phenylacetylindoles include, but are not limited to:

(A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

(B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

(C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);

(D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

(vi) Cyclohexylphenols, which are compounds containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not limited to:

(A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

(B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (Cannabicyclohexanol or CP 47,497 C8 homologue);

(C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol (CP 55,940).

(vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not

further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Examples of benzoylindoles include, but are not limited to:

(A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

(B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

(C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN 48,098 or Pravadoline).

(viii) Others specifically named:

(A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);

(B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);

(C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);

(D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

(E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (XLR-11);

(F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide (AKB-48(APINACA));

(G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5-Fluoro-AKB-48);

(H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);

(I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);

(J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide (AB-PINACA);

(K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide (AB-FUBINACA);

(L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide(AB-CHMINACA);

(M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (5-fluoro-AMB);

(N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);

(O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone (FUBIMINA);

(P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo [2.2.1] heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);

(Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl) -1H-indole-3-carboxamide (5-fluoro-ABICA);

(R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl) -1H-indole-3-carboxamide;

(S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl) -1H-indazole-3-carboxamide;

(T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido) -3,3-dimethylbutanoate;

(U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 H-indazole-3-carboxamide (MAB-CHMINACA);

(V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA);

(W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);

(X) N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-3-carboxamide. (APP-CHMINACA);

(Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and

(Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).

(i) A controlled substance analog, to the extent that it is implicitly or explicitly intended for human consumption.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 152.02, subdivision 5, is amended to read:

Subd. 5. **Schedule IV.** (a) Schedule IV consists of the substances listed in this subdivision.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows:

(1) not more than one milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(2) dextropropoxyphene (Darvon and Darvocet);

(3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers (including tramadol); ~~and~~

(4) eluxadoline;

(5) pentazocine; and

(6) butorphanol (including its optical isomers).

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of the salts, isomers, and salts of isomers is possible:

- (1) alfaxalone (5 α -pregnan-3 α -ol-11,20-dione);
- (2) alprazolam;
- (3) barbital;
- (4) bromazepam;
- (5) camazepam;
- (6) carisoprodol;
- (7) chloral betaine;
- (8) chloral hydrate;
- (9) chlordiazepoxide;
- (10) clobazam;
- (11) clonazepam;
- (12) clorazepate;
- (13) clotiazepam;
- (14) cloxazolam;
- (15) delorazepam;
- (16) diazepam;
- (17) dichloralphenazone;
- (18) estazolam;
- (19) ethchlorvynol;
- (20) ethinamate;
- (21) ethyl loflazepate;
- (22) fludiazepam;

- (23) flurazepam;
- (24) fospropofol;
- (25) halazepam;
- (26) haloxazolam;
- (27) ketazolam;
- (28) loproazolam;
- (29) lorazepam;
- (30) lormetazepam mebutamate;
- (31) medazepam;
- (32) meprobamate;
- (33) methohexital;
- (34) methylphenobarbital;
- (35) midazolam;
- (36) nimetazepam;
- (37) nitrazepam;
- (38) nordiazepam;
- (39) oxazepam;
- (40) oxazolam;
- (41) paraldehyde;
- (42) petrichloral;
- (43) phenobarbital;
- (44) pinazepam;
- (45) prazepam;
- (46) quazepam;
- (47) suvorexant;
- (48) temazepam;

- (49) tetrazepam;
- (50) triazolam;
- (51) zaleplon;
- (52) zolpidem;
- (53) zopiclone.

(d) Any material, compound, mixture, or preparation which contains any quantity of the following substance including its salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible: fenfluramine.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

- (1) cathine (norpseudoephedrine);
 - (2) diethylpropion;
 - (3) fencamfamine;
 - (4) fenproporex;
 - (5) mazindol;
 - (6) mefenorex;
 - (7) modafinil;
 - (8) pemoline (including organometallic complexes and chelates thereof);
 - (9) phentermine;
 - (10) pipradol;
 - (11) sibutramine;
 - (12) SPA (1-dimethylamino-1,2-diphenylethane).
- (f) lorcaserin.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2016, section 152.027, is amended by adding a subdivision to read:

Subd. 7. Sale or possession of kratom. (a) A person who unlawfully sells any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person under the age of 18 is guilty of a gross misdemeanor.

(b) A person under the age of 18 who unlawfully possesses any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine is guilty of a misdemeanor.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

ARTICLE 2

SUBSTANTIVE CHANGE TO DWI LAW; INTOXICATING SUBSTANCES

Section 1. Minnesota Statutes 2016, section 169A.03, is amended by adding a subdivision to read:

Subd. 11a. **Intoxicating substance.** "Intoxicating substance" means a drug or chemical, as those terms are defined in section 151.01, that when introduced into the human body impairs the central nervous system or impairs the human audio, visual, or mental processes. The term does not include alcohol or controlled substances.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 169A.20, subdivision 1, is amended to read:

Subdivision 1. **Driving while impaired crime; motor vehicle.** It is a crime for any person to drive, operate, or be in physical control of any motor vehicle, as defined in section 169A.03, subdivision 15, except for motorboats in operation and off-road recreational vehicles, within this state or on any boundary water of this state when:

- (1) the person is under the influence of alcohol;
- (2) the person is under the influence of a controlled substance;
- (3) the person is knowingly under the influence of ~~a hazardous~~ an intoxicating substance that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to drive or operate the motor vehicle;
- (4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3);
- (5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the motor vehicle is 0.08 or more;
- (6) the vehicle is a commercial motor vehicle and the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the commercial motor vehicle is 0.04 or more; or
- (7) the person's body contains any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 3. **REPEALER.**

Minnesota Statutes 2016, section 169A.03, subdivision 9, is repealed.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

ARTICLE 3

CONFORMING CHANGES TO DWI-RELATED LAWS

Section 1. Minnesota Statutes 2016, section 97B.065, subdivision 1, is amended to read:

Subdivision 1. **Acts prohibited.** (a) A person may not take wild animals with a firearm or by archery:

(1) when the person is under the influence of alcohol;

(2) when the person is under the influence of a controlled substance, as defined in section 152.01, subdivision 4;

(3) when the person is under the influence of a combination of any two or more of the elements in clauses (1) and (2);

(4) when the person's alcohol concentration is 0.08 or more;

(5) when the person's alcohol concentration as measured within two hours of the time of taking is 0.08 or more; or

(6) when the person is knowingly under the influence of ~~any chemical compound or combination of chemical compounds that is listed as a hazardous~~ an intoxicating substance in rules adopted under section 182.655 and that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to operate a firearm or bow and arrow as defined in section 169A.03, subdivision 11a.

(b) An owner or other person having charge or control of a firearm or bow may not authorize or permit an individual the person knows or has reason to believe is under the influence of alcohol or a controlled substance, as provided under paragraph (a), to possess the firearm or bow in this state or on a boundary water of this state.

(c) A person may not possess a loaded or uncased firearm or an uncased bow afield under any of the conditions in paragraph (a).

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 169A.20, subdivision 1a, is amended to read:

Subd. 1a. **Driving while impaired crime; motorboat in operation.** It is a crime for any person to operate or be in physical control of a motorboat in operation on any waters or boundary water of this state when:

(1) the person is under the influence of alcohol;

(2) the person is under the influence of a controlled substance;

(3) the person is knowingly under the influence of ~~a hazardous~~ an intoxicating substance ~~that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to drive or operate the motorboat;~~

(4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3);

(5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the motorboat is 0.08 or more; or

(6) the person's body contains any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2016, section 169A.20, subdivision 1b, is amended to read:

Subd. 1b. **Driving while impaired crime; snowmobile and all-terrain vehicle.** It is a crime for any person to operate or be in physical control of a snowmobile as defined in section 84.81, subdivision 3, or all-terrain vehicle as defined in section 84.92, subdivision 8, anywhere in this state or on the ice of any boundary water of this state when:

(1) the person is under the influence of alcohol;

(2) the person is under the influence of a controlled substance;

(3) the person is knowingly under the influence of ~~a hazardous~~ an intoxicating substance ~~that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to drive or operate the snowmobile or all-terrain vehicle;~~

(4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3);

(5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the snowmobile or all-terrain vehicle is 0.08 or more; or

(6) the person's body contains any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 4. Minnesota Statutes 2016, section 169A.20, subdivision 1c, is amended to read:

Subd. 1c. **Driving while impaired crime; off-highway motorcycle and off-road vehicle.** It is a crime for any person to operate or be in physical control of any off-highway motorcycle as defined in section 84.787, subdivision 7, or any off-road vehicle as defined in section 84.797, subdivision 7, anywhere in this state or on the ice of any boundary water of this state when:

(1) the person is under the influence of alcohol;

(2) the person is under the influence of a controlled substance;

(3) the person is knowingly under the influence of ~~a hazardous~~ an intoxicating substance that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to drive or operate the off-highway motorcycle or off-road vehicle;

(4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3);

(5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the off-highway motorcycle or off-road vehicle is 0.08 or more; or

(6) the person's body contains any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2016, section 169A.45, subdivision 1, is amended to read:

Subdivision 1. **Alcohol concentration evidence.** Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for violating section 169A.20 (driving while impaired) or 169A.31 (alcohol-related school bus or Head Start bus driving), the court may admit evidence of the presence or amount of alcohol in the person's blood, breath, or urine as shown by an analysis of those items. In addition, in a prosecution for a violation of section 169A.20, the court may admit evidence of the presence or amount in the person's blood, breath, or urine, as shown by an analysis of those items, of:

(1) a controlled substance or its metabolite; or

(2) ~~a hazardous~~ an intoxicating substance.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2016, section 169A.51, subdivision 1, is amended to read:

Subdivision 1. **Implied consent; conditions; election of test.** (a) Any person who drives, operates, or is in physical control of a motor vehicle within this state or on any boundary water of this state consents, subject to the provisions of sections 169A.50 to 169A.53 (implied consent law), and section 169A.20 (driving while impaired), to a chemical test of that person's blood, breath, or urine for the purpose of determining the presence of alcohol, a controlled substance or its metabolite, or a ~~hazardous~~ an intoxicating substance. The test must be administered at the direction of a peace officer.

(b) The test may be required of a person when an officer has probable cause to believe the person was driving, operating, or in physical control of a motor vehicle in violation of section 169A.20 (driving while impaired), and one of the following conditions exist:

(1) the person has been lawfully placed under arrest for violation of section 169A.20 or an ordinance in conformity with it;

(2) the person has been involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death;

(3) the person has refused to take the screening test provided for by section 169A.41 (preliminary screening test); or

(4) the screening test was administered and indicated an alcohol concentration of 0.08 or more.

(c) The test may also be required of a person when an officer has probable cause to believe the person was driving, operating, or in physical control of a commercial motor vehicle with the presence of any alcohol.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 7. Minnesota Statutes 2017 Supplement, section 169A.51, subdivision 4, is amended to read:

Subd. 4. **Requirement of urine or blood test.** A blood or urine test may be required pursuant to a search warrant under sections 626.04 to 626.18 even after a breath test has been administered if there is probable cause to believe that:

(1) there is impairment by a controlled substance or a ~~hazardous~~ an intoxicating substance that is not subject to testing by a breath test;

(2) a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body; or

(3) the person is unconscious or incapacitated to the point that the peace officer providing a breath test advisory, administering a breath test, or serving the search warrant has a good-faith belief that the person is mentally or physically unable to comprehend the breath test advisory or otherwise voluntarily submit to chemical tests.

Action may be taken against a person who refuses to take a blood test under this subdivision only if a urine test was offered and action may be taken against a person who refuses to take a urine

test only if a blood test was offered. This limitation does not apply to an unconscious person under the circumstances described in clause (3).

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2016, section 169A.51, subdivision 7, is amended to read:

Subd. 7. **Requirements for conducting tests; liability.** (a) Only a physician, medical technician, emergency medical technician-paramedic, registered nurse, medical technologist, medical laboratory technician, phlebotomist, laboratory assistant, or other qualified person acting at the request of a peace officer may withdraw blood for the purpose of determining the presence of alcohol, a controlled substance or its metabolite, or ~~a hazardous~~ an intoxicating substance. This limitation does not apply to the taking of a breath or urine sample.

(b) The person tested has the right to have someone of the person's own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test sample on behalf of the person is obtained at the place where the person is in custody, after the test administered at the direction of a peace officer, and at no expense to the state. The failure or inability to obtain an additional test or tests by a person does not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer.

(c) The physician, medical technician, emergency medical technician-paramedic, medical technologist, medical laboratory technician, laboratory assistant, phlebotomist, registered nurse, or other qualified person drawing blood at the request of a peace officer for the purpose of determining the concentration of alcohol, a controlled substance or its metabolite, or ~~a hazardous~~ an intoxicating substance is in no manner liable in any civil or criminal action except for negligence in drawing the blood. The person administering a breath test must be fully trained in the administration of breath tests pursuant to training given by the commissioner of public safety.

(d) For purposes of this subdivision, "qualified person" means medical personnel trained in a licensed hospital or educational institution to withdraw blood.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 9. Minnesota Statutes 2016, section 169A.52, subdivision 2, is amended to read:

Subd. 2. **Reporting test failure.** (a) If a person submits to a test, the results of that test must be reported to the commissioner and to the authority having responsibility for prosecution of impaired driving offenses for the jurisdiction in which the acts occurred, if the test results indicate:

(1) an alcohol concentration of 0.08 or more;

(2) an alcohol concentration of 0.04 or more, if the person was driving, operating, or in physical control of a commercial motor vehicle at the time of the violation; or

(3) the presence of a controlled substance listed in Schedule I or II or its metabolite, other than marijuana or tetrahydrocannabinols.

(b) If a person submits to a test and the test results indicate the presence of ~~a hazardous~~ an intoxicating substance, the results of that test must be reported to the authority having responsibility for prosecution of impaired driving offenses for the jurisdiction in which the acts occurred.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2016, section 169A.76, is amended to read:

169A.76 CIVIL ACTION; PUNITIVE DAMAGES.

(a) In a civil action involving a motor vehicle accident, it is sufficient for the trier of fact to consider an award of punitive damages if there is evidence that the accident was caused by a driver:

(1) with an alcohol concentration of 0.08 or more;

(2) who was under the influence of a controlled substance;

(3) who was under the influence of alcohol and refused to take a test required under section 169A.51 (chemical tests for intoxication); or

(4) who was knowingly under the influence of ~~a hazardous~~ an intoxicating substance ~~that substantially affects the person's nervous system, brain, or muscles so as to impair the person's ability to drive or operate a motor vehicle.~~

(b) A criminal charge or conviction is not a prerequisite to consideration of punitive damages under this section. At the trial in an action where the trier of fact will consider an award of punitive damages, evidence that the driver has been convicted of violating section 169A.20 (driving while impaired), 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide or injury) is admissible into evidence.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to acts committed on or after that date.

Sec. 11. Minnesota Statutes 2016, section 360.0752, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section and section 360.0753:

(1) "operate" includes the acts of all crew members with responsibility to operate the aircraft;

(2) "controlled substance" has the meaning given in section 152.01, subdivision 4; and

(3) ~~"hazardous substance" means any chemical or chemical compound that is listed as a hazardous substance in rules adopted under chapter 182.~~ "intoxicating substance" has the meaning given in section 169A.03, subdivision 11a.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 12. Minnesota Statutes 2016, section 360.0752, subdivision 2, is amended to read:

Subd. 2. **Crime; acts prohibited.** (a) It is a crime for any person to operate or attempt to operate an aircraft on or over land or water within this state or over any boundary water of this state under any of the following conditions:

(1) when the person is under the influence of alcohol;

(2) when the person is under the influence of a controlled substance;

(3) when the person is under the influence of a combination of any two or more of the elements named in clauses (1), (2), and (6);

(4) when the person's alcohol concentration is 0.04 or more;

(5) when the person's alcohol concentration as measured within two hours of the time of operation or attempted operation is 0.04 or more;

(6) when the person is knowingly under the influence of ~~a hazardous~~ an intoxicating substance ~~that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to operate the aircraft;~~

(7) when the person's body contains any amount of a controlled substance listed in Schedule I or II, other than marijuana or tetrahydrocannabinols; or

(8) within eight hours of having consumed any alcoholic beverage or used any controlled substance.

(b) If proven by a preponderance of the evidence, it shall be an affirmative defense to a violation of paragraph (a), clause (7), that the defendant used the controlled substance according to the terms of a prescription issued for the defendant in accordance with sections 152.11 and 152.12.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 13. Minnesota Statutes 2016, section 360.0752, subdivision 5, is amended to read:

Subd. 5. **Evidence.** Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for operating or attempting to operate an aircraft in violation of subdivision 2, the court may admit evidence of the presence or amount of alcohol, controlled substances, or ~~hazardous~~ intoxicating substances in the person's blood, breath, or urine as shown by an analysis of those items.

Evidence of the refusal to take a test is admissible into evidence in a prosecution under this section.

If proven by a preponderance of the evidence, it shall be an affirmative defense to a violation of subdivision 2, clause (5), that the defendant consumed a sufficient quantity of alcohol after the time of the violation and before the administration of the evidentiary test to cause the defendant's alcohol concentration to exceed 0.04; provided, that this evidence may not be admitted unless notice is given to the prosecution prior to the omnibus or pretrial hearing in the matter.

The foregoing provisions do not limit the introduction of any other competent evidence bearing upon the question whether or not the person violated this section, including tests obtained more than two hours after the alleged violation and results obtained from partial tests on an infrared breath-testing instrument. A result from a partial test is the measurement obtained by analyzing one adequate breath sample, as defined in section 360.0753, subdivision 4, paragraph (b).

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 14. Minnesota Statutes 2016, section 360.0752, subdivision 7, is amended to read:

Subd. 7. **Preliminary screening test.** When a peace officer has reason to believe that a person may be violating or has violated subdivision 2, the officer may require the person to provide a sample of the person's breath for a preliminary screening test using a device approved by the commissioner of public safety or the commissioner of transportation for this purpose. The results of this preliminary screening test shall be used for the purpose of deciding whether to require the tests authorized in section 360.0753, but shall not be used in any court action except to prove that a test was properly required of a person pursuant to section 360.0753. Following the screening test, additional tests may be required of the person pursuant to the provisions of section 360.0753.

A person who refuses to furnish a sample of the person's breath is subject to the provisions of section 360.0753 unless, in compliance with section 360.0753, the person submits to a blood, breath, or urine test to determine the presence or amount of alcohol, controlled substances, or ~~hazardous~~ intoxicating substances.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 15. Minnesota Statutes 2017 Supplement, section 360.0753, subdivision 2, is amended to read:

Subd. 2. **Implied consent; conditions; election of test.** (a) Any person who operates or attempts to operate an aircraft in or over this state or over any boundary water of this state consents, subject to the provisions of this section and section 360.0752, to a chemical test of that person's blood, breath, or urine for the purpose of determining the presence or amount of alcohol, controlled substances, or ~~hazardous~~ intoxicating substances. The test shall be administered at the direction of a peace officer.

(b) A test of the person's breath may be required when an officer has probable cause to believe the person was operating or attempting to operate an aircraft in violation of section 360.0752 and one of the following conditions exists:

(1) the person has been lawfully placed under arrest for violation of section 360.0752;

(2) the person has been involved in an aircraft accident or collision resulting in property damage, personal injury, or death;

(3) the person has refused to take the screening test provided for by section 360.0752;

(4) the screening test was administered and recorded an alcohol concentration of 0.04 or more or the presence of a controlled substance listed in Schedule I or II other than marijuana or tetrahydrocannabinols; or

(5) the officer had probable cause to believe that the person was operating or attempting to operate an aircraft with any amount of alcohol present in the person's body.

(c) A test of the person's blood or urine may be required by an officer under the conditions described in paragraph (b) if the officer is acting pursuant to a search warrant under sections 626.04 to 626.18.

(d) At the time a test is requested, the person shall be informed:

(1) that Minnesota law requires the person to take a test to determine the presence or amount of alcohol or a controlled substance listed in Schedule I or II other than marijuana or tetrahydrocannabinols, or to determine if the person is under the influence of alcohol, controlled substances, or ~~hazardous~~ intoxicating substances;

(2) that whether a test is taken or refused, the person may be subject to criminal prosecution for an alcohol, controlled substance, or ~~hazardous~~ intoxicating substance-related offense relating to the operation of an aircraft;

(3) that if testing is refused, the person may be subject to criminal prosecution because the person refused testing and the person will be disqualified from operating an aircraft for a minimum period of one year;

(4) if the peace officer has probable cause to believe the person has violated the criminal vehicular homicide and injury laws, that pursuant to a search warrant a test will be taken with or without the person's consent; and

(5) that, in the case of a breath test, the person has the right to consult with an attorney, but that this right is limited to the extent that it cannot unreasonably delay administration of the test.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 16. Minnesota Statutes 2017 Supplement, section 360.0753, subdivision 3, is amended to read:

Subd. 3. **Type of test.** (a) A peace officer who directs a test pursuant to this section may direct a breath test.

(b) A peace officer, acting pursuant to a search warrant, may direct a blood or urine test as provided in the warrant. If the warrant authorizes either a blood or urine test, the officer may direct

whether the test is of blood or urine. If the person to whom the test is directed objects to the test, the officer shall offer the person an alternative test of either blood or urine.

(c) A blood or urine test may be required pursuant to a search warrant even after a breath test has been administered if there is probable cause to believe that: (1) there is impairment by a controlled substance or ~~hazardous~~ an intoxicating substance that is not subject to testing by a breath test; or (2) a controlled substance listed in Schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's body.

(d) Action under this section may be taken against a person who refuses to take a blood test only if an alternative test was offered and action may be taken against a person who refuses to take a urine test only if an alternative test was offered.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 17. Minnesota Statutes 2016, section 360.0753, subdivision 6, is amended to read:

Subd. 6. **Manner of making test; additional test.** (a) Only a physician, medical technician, physician's trained mobile intensive care paramedic, registered nurse, medical technologist, or laboratory assistant acting at the request of a peace officer may withdraw blood for the purpose of determining the presence or amount of alcohol, controlled substances, or ~~hazardous~~ intoxicating substances. This limitation does not apply to the taking of a breath or urine sample. The person tested has the right to have someone of the person's own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test sample on behalf of the person is obtained at the place where the person is in custody, after the test administered at the direction of a peace officer, and at no expense to the state.

(b) The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer.

(c) The physician, medical technician, physician's trained mobile intensive care paramedic, medical technologist, laboratory assistant, or registered nurse drawing blood at the request of a peace officer for the purpose of determining the presence or concentration of alcohol, controlled substances, or ~~hazardous~~ intoxicating substances shall in no manner be liable in any civil or criminal action except for negligence in drawing the blood. The person administering a breath test shall be fully trained in the administration of breath tests pursuant to training given by the commissioner of public safety or the commissioner of transportation.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to acts committed on or after that date.

Sec. 18. Minnesota Statutes 2016, section 609.2111, is amended to read:

609.2111 DEFINITIONS.

(a) For purposes of sections 609.2111 to 609.2114, the terms defined in this subdivision have the meanings given them.

(b) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, and includes attached trailers.

(c) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

(d) ~~"Hazardous substance" means any chemical or chemical compound that is listed as a hazardous substance in rules adopted under chapter 182~~ "Intoxicating substance" has the meaning given in section 169A.03, subdivision 11a.

(e) "Qualified prior driving offense" includes a prior conviction:

(1) for a violation of section 169A.20 under the circumstances described in section 169A.24 or 169A.25;

(2) under section 609.2112, subdivision 1, clauses (2) to (6); 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to (6); or 609.2114, subdivision 1, clauses (2) to (6); or 2, clauses (2) to (6);

(3) under Minnesota Statutes 2012, section 609.21, subdivision 1, clauses (2) to (6); or

(4) under Minnesota Statutes 2006, section 609.21, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); 2a, clauses (2) to (6); 2b, clauses (2) to (6); 3, clauses (2) to (6); or 4, clauses (2) to (6).

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 19. Minnesota Statutes 2016, section 609.2112, subdivision 1, is amended to read:

Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in paragraph (b), a person is guilty of criminal vehicular homicide and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the person causes the death of a human being not constituting murder or manslaughter as a result of operating a motor vehicle:

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of:

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

(3) while having an alcohol concentration of 0.08 or more;

(4) while having an alcohol concentration of 0.08 or more, as measured within two hours of the time of driving;

(5) in a negligent manner while knowingly under the influence of ~~a hazardous~~ an intoxicating substance;

(6) in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body;

(7) where the driver who causes the collision leaves the scene of the collision in violation of section 169.09, subdivision 1 or 6; or

(8) where the driver had actual knowledge that a peace officer had previously issued a citation or warning that the motor vehicle was defectively maintained, the driver had actual knowledge that remedial action was not taken, the driver had reason to know that the defect created a present danger to others, and the death was caused by the defective maintenance.

(b) If a person is sentenced under paragraph (a) for a violation under paragraph (a), clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the statutory maximum sentence of imprisonment is 15 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 20. Minnesota Statutes 2016, section 609.2113, subdivision 1, is amended to read:

Subdivision 1. **Great bodily harm.** A person is guilty of criminal vehicular operation resulting in great bodily harm and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person causes great bodily harm to another not constituting attempted murder or assault as a result of operating a motor vehicle:

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of:

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

(3) while having an alcohol concentration of 0.08 or more;

(4) while having an alcohol concentration of 0.08 or more, as measured within two hours of the time of driving;

(5) in a negligent manner while knowingly under the influence of ~~a hazardous~~ an intoxicating substance;

(6) in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body;

(7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6; or

(8) where the driver had actual knowledge that a peace officer had previously issued a citation or warning that the motor vehicle was defectively maintained, the driver had actual knowledge that remedial action was not taken, the driver had reason to know that the defect created a present danger to others, and the injury was caused by the defective maintenance.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 21. Minnesota Statutes 2016, section 609.2113, subdivision 2, is amended to read:

Subd. 2. **Substantial bodily harm.** A person is guilty of criminal vehicular operation resulting in substantial bodily harm and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$10,000, or both, if the person causes substantial bodily harm to another as a result of operating a motor vehicle:

- (1) in a grossly negligent manner;
- (2) in a negligent manner while under the influence of:
 - (i) alcohol;
 - (ii) a controlled substance; or
 - (iii) any combination of those elements;
- (3) while having an alcohol concentration of 0.08 or more;
- (4) while having an alcohol concentration of 0.08 or more, as measured within two hours of the time of driving;
- (5) in a negligent manner while knowingly under the influence of ~~a hazardous~~ an intoxicating substance;
- (6) in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body;
- (7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6; or
- (8) where the driver had actual knowledge that a peace officer had previously issued a citation or warning that the motor vehicle was defectively maintained, the driver had actual knowledge that remedial action was not taken, the driver had reason to know that the defect created a present danger to others, and the injury was caused by the defective maintenance.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 22. Minnesota Statutes 2016, section 609.2113, subdivision 3, is amended to read:

Subd. 3. **Bodily harm.** A person is guilty of criminal vehicular operation resulting in bodily harm and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the person causes bodily harm to another as a result of operating a motor vehicle:

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of:

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

(3) while having an alcohol concentration of 0.08 or more;

(4) while having an alcohol concentration of 0.08 or more, as measured within two hours of the time of driving;

(5) in a negligent manner while knowingly under the influence of ~~a hazardous~~ an intoxicating substance;

(6) in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body;

(7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6; or

(8) where the driver had actual knowledge that a peace officer had previously issued a citation or warning that the motor vehicle was defectively maintained, the driver had actual knowledge that remedial action was not taken, the driver had reason to know that the defect created a present danger to others, and the injury was caused by the defective maintenance.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 23. Minnesota Statutes 2016, section 609.2114, subdivision 1, is amended to read:

Subdivision 1. **Death to an unborn child.** (a) Except as provided in paragraph (b), a person is guilty of criminal vehicular operation resulting in death to an unborn child and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the person causes the death of an unborn child as a result of operating a motor vehicle:

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of:

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

(3) while having an alcohol concentration of 0.08 or more;

(4) while having an alcohol concentration of 0.08 or more, as measured within two hours of the time of driving;

(5) in a negligent manner while knowingly under the influence of ~~a hazardous~~ an intoxicating substance;

(6) in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body;

(7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6; or

(8) where the driver had actual knowledge that a peace officer had previously issued a citation or warning that the motor vehicle was defectively maintained, the driver had actual knowledge that remedial action was not taken, the driver had reason to know that the defect created a present danger to others, and the injury was caused by the defective maintenance.

(b) If a person is sentenced under paragraph (a) for a violation under paragraph (a), clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the statutory maximum sentence of imprisonment is 15 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 24. Minnesota Statutes 2016, section 609.2114, subdivision 2, is amended to read:

Subd. 2. **Injury to an unborn child.** A person is guilty of criminal vehicular operation resulting in injury to an unborn child and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person causes the great bodily harm to an unborn child subsequently born alive as a result of operating a motor vehicle:

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of:

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

(3) while having an alcohol concentration of 0.08 or more;

(4) while having an alcohol concentration of 0.08 or more, as measured within two hours of the time of driving;

(5) in a negligent manner while knowingly under the influence of ~~a hazardous~~ an intoxicating substance;

(6) in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is present in the person's body;

(7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6; or

(8) where the driver had actual knowledge that a peace officer had previously issued a citation or warning that the motor vehicle was defectively maintained, the driver had actual knowledge that remedial action was not taken, the driver had reason to know that the defect created a present danger to others, and the injury was caused by the defective maintenance.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 25. Minnesota Statutes 2016, section 624.7142, subdivision 1, is amended to read:

Subdivision 1. **Acts prohibited.** A person may not carry a pistol on or about the person's clothes or person in a public place:

(1) when the person is under the influence of a controlled substance, as defined in section 152.01, subdivision 4;

(2) when the person is under the influence of a combination of any two or more of the elements named in clauses (1) and (4);

(3) when the person is knowingly under the influence of ~~any chemical compound or combination of chemical compounds that is listed as a hazardous substance in rules adopted under section 182.655 and that affects the nervous system, brain, or muscles of the person so as to impair the person's clearness of intellect or physical control~~ an intoxicating substance as defined in section 169A.03, subdivision 11a;

(4) when the person is under the influence of alcohol;

(5) when the person's alcohol concentration is 0.10 or more; or

(6) when the person's alcohol concentration is less than 0.10, but more than 0.04.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; modifying the schedules of controlled substances; criminalizing certain acts involving kratom; modifying the DWI law by including other types of intoxicating substances and striking references to hazardous substances; amending Minnesota Statutes 2016, sections 97B.065, subdivision 1; 152.02, subdivision 5; 152.027, by adding a subdivision; 169A.03, by adding a subdivision; 169A.20, subdivisions 1, 1a, 1b, 1c; 169A.45, subdivision 1;

169A.51, subdivisions 1, 7; 169A.52, subdivision 2; 169A.76; 360.0752, subdivisions 1, 2, 5, 7; 360.0753, subdivision 6; 609.2111; 609.2112, subdivision 1; 609.2113, subdivisions 1, 2, 3; 609.2114, subdivisions 1, 2; 624.7142, subdivision 1; Minnesota Statutes 2017 Supplement, sections 152.02, subdivision 2; 169A.51, subdivision 4; 360.0753, subdivisions 2, 3; repealing Minnesota Statutes 2016, section 169A.03, subdivision 9."

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 2364: A bill for an act relating to local government; authorizing towns to appropriate funds to community food shelves; amending Minnesota Statutes 2016, section 465.039.

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 2651: A bill for an act relating to local government; amending the St. Louis County Civil Service Commission; making technical changes; removing obsolete language; amending Minnesota Statutes 2016, sections 383C.031; 383C.032; 383C.033; 383C.034; 383C.035; 383C.037; 383C.038; 383C.039; 383C.04; 383C.041; 383C.042; 383C.043; 383C.044; 383C.045; 383C.046; 383C.048; 383C.05; 383C.051; 383C.055; 383C.056; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 2016, sections 383C.036; 383C.047; 383C.049; 383C.052; 383C.053; 383C.059.

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

Senator Hall from the Committee on Local Government, to which was referred

S.F. No. 2809: A bill for an act relating to the Metropolitan Council; modifying governance of the Metropolitan Council; eliminating the Transportation Advisory Board; amending Minnesota Statutes 2016, sections 3.8841, subdivision 9; 473.123; 473.146, subdivisions 3, 4; Minnesota Statutes 2017 Supplement, section 15A.0815, subdivision 3; repealing Laws 1994, chapter 628, article 1, section 8.

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

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

S.F. No. 2698: A bill for an act relating to education; establishing the special education legislative working group; requiring legislative appointments; requiring consultation with stakeholders and a report of recommendations.

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

Page 3, line 3, delete everything after "stakeholders" and insert a period

Page 3, delete lines 4 to 8

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

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

S.F. No. 2871: A bill for an act relating to cosmetology; exempting hair braiders from cosmetology registration requirements; amending Minnesota Statutes 2016, sections 155A.25, subdivision 1a; 155A.28, by adding subdivisions; repealing Minnesota Statutes 2016, section 155A.28, subdivisions 1, 3, 4.

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

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

S.F. No. 2699: A bill for an act relating to public safety; increasing penalties for child pornography offenses; requiring reports on court-imposed stays of sentence or adjudication for sex offenses; restricting the grounds that permit reunification of parents and children after the parent sexually abuses a child; amending Minnesota Statutes 2016, sections 260.012; 617.246, subdivisions 2, 3, 4, 7; 617.247, subdivisions 3, 4, 9; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 243.166, subdivision 1b, is amended to read:

Subd. 1b. **Registration required.** (a) A person shall register under this section if:

(1) the person was charged with or petitioned for a felony violation of or attempt to violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances:

(i) murder under section 609.185, paragraph (a), clause (2);

(ii) kidnapping under section 609.25;

(iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; or 609.3453; ~~or~~

(iv) indecent exposure under section 617.23, subdivision 3; or

(v) surreptitious intrusion under the circumstances described in section 609.746, subdivision 1, paragraph (f);

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b); false imprisonment in violation of section 609.255, subdivision 2; solicitation, inducement, or promotion of the prostitution of a minor or engaging in the sex trafficking of a minor in violation of section 609.322; a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a); soliciting a minor to engage in sexual conduct in violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a sexual performance in violation of section 617.246; or possessing pornographic work involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was charged with or petitioned for, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances.

(b) A person also shall register under this section if:

(1) the person was charged with or petitioned for an offense in another state that would be a violation of a law described in paragraph (a) if committed in this state and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of or adjudicated delinquent for the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person was committed pursuant to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 260.012, is amended to read:

260.012 DUTY TO ENSURE PLACEMENT PREVENTION AND FAMILY REUNIFICATION; REASONABLE EFFORTS.

(a) Once a child alleged to be in need of protection or services is under the court's jurisdiction, the court shall ensure that reasonable efforts, including culturally appropriate services, by the social services agency are made to prevent placement or to eliminate the need for removal and to reunite the child with the child's family at the earliest possible time, and the court must ensure that the responsible social services agency makes reasonable efforts to finalize an alternative permanent plan for the child as provided in paragraph (e). In determining reasonable efforts to be made with respect to a child and in making those reasonable efforts, the child's best interests, health, and safety must be of paramount concern. Reasonable efforts to prevent placement and for rehabilitation and reunification are always required except upon a determination by the court that a petition has been filed stating a prima facie case that:

(1) the parent has subjected a child to egregious harm as defined in section 260C.007, subdivision 14;

(2) the parental rights of the parent to another child have been terminated involuntarily;

(3) the child is an abandoned infant under section 260C.301, subdivision 2, paragraph (a), clause (2);

(4) the parent's custodial rights to another child have been involuntarily transferred to a relative under Minnesota Statutes 2010, section 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law of another jurisdiction;

(5) the parent has committed sexual abuse as defined in section 626.556, subdivision 2, against the child or another child of the parent;

(6) the parent has committed an offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b); or

(7) the provision of services or further services for the purpose of reunification is futile and therefore unreasonable under the circumstances.

(b) When the court makes one of the prima facie determinations under paragraph (a), either permanency pleadings under section 260C.505, or a termination of parental rights petition under

sections 260C.141 and 260C.301 must be filed. A permanency hearing under sections 260C.503 to 260C.521 must be held within 30 days of this determination.

(c) In the case of an Indian child, in proceedings under sections 260B.178, 260C.178, 260C.201, 260C.202, 260C.204, 260C.301, or 260C.503 to 260C.521, the juvenile court must make findings and conclusions consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901 et seq., as to the provision of active efforts. In cases governed by the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901, the responsible social services agency must provide active efforts as required under United States Code, title 25, section 1911(d).

(d) "Reasonable efforts to prevent placement" means:

(1) the agency has made reasonable efforts to prevent the placement of the child in foster care by working with the family to develop and implement a safety plan; or

(2) given the particular circumstances of the child and family at the time of the child's removal, there are no services or efforts available which could allow the child to safely remain in the home.

(e) "Reasonable efforts to finalize a permanent plan for the child" means due diligence by the responsible social services agency to:

(1) reunify the child with the parent or guardian from whom the child was removed;

(2) assess a noncustodial parent's ability to provide day-to-day care for the child and, where appropriate, provide services necessary to enable the noncustodial parent to safely provide the care, as required by section 260C.219;

(3) conduct a relative search to identify and provide notice to adult relatives as required under section 260C.221;

(4) place siblings removed from their home in the same home for foster care or adoption, or transfer permanent legal and physical custody to a relative. Visitation between siblings who are not in the same foster care, adoption, or custodial placement or facility shall be consistent with section 260C.212, subdivision 2; and

(5) when the child cannot return to the parent or guardian from whom the child was removed, to plan for and finalize a safe and legally permanent alternative home for the child, and considers permanent alternative homes for the child inside or outside of the state, preferably through adoption or transfer of permanent legal and physical custody of the child.

(f) Reasonable efforts are made upon the exercise of due diligence by the responsible social services agency to use culturally appropriate and available services to meet the needs of the child and the child's family. Services may include those provided by the responsible social services agency and other culturally appropriate services available in the community. At each stage of the proceedings where the court is required to review the appropriateness of the responsible social services agency's reasonable efforts as described in paragraphs (a), (d), and (e), the social services agency has the burden of demonstrating that:

(1) it has made reasonable efforts to prevent placement of the child in foster care;

(2) it has made reasonable efforts to eliminate the need for removal of the child from the child's home and to reunify the child with the child's family at the earliest possible time;

(3) it has made reasonable efforts to finalize an alternative permanent home for the child, and considers permanent alternative homes for the child inside or outside of the state; or

(4) reasonable efforts to prevent placement and to reunify the child with the parent or guardian are not required. The agency may meet this burden by stating facts in a sworn petition filed under section 260C.141, by filing an affidavit summarizing the agency's reasonable efforts or facts the agency believes demonstrate there is no need for reasonable efforts to reunify the parent and child, or through testimony or a certified report required under juvenile court rules.

(g) Once the court determines that reasonable efforts for reunification are not required because the court has made one of the prima facie determinations under paragraph (a), the court may only require reasonable efforts for reunification after a hearing according to section 260C.163, where the court finds there is not clear and convincing evidence of the facts upon which the court based its prima facie determination. In this case when there is clear and convincing evidence that the child is in need of protection or services, the court may find the child in need of protection or services and order any of the dispositions available under section 260C.201, subdivision 1. Reunification of a child with a parent is not required if the parent has been convicted of:

(1) a violation of, or an attempt or conspiracy to commit a violation of, sections 609.185 to 609.20; 609.222, subdivision 2; or 609.223 in regard to another child of the parent;

(2) a violation of section 609.222, subdivision 2; or 609.223, in regard to the child;

(3) a violation of, or an attempt or conspiracy to commit a violation of, United States Code, title 18, section 1111(a) or 1112(a), in regard to another child of the parent;

(4) committing an offense that constitutes sexual abuse as defined in section 626.556, subdivision 2, against the child or another child of the parent; or

(5) an offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b).

Reunification is also not required when a parent receives a stay of adjudication pursuant to section 609.095, paragraph (b), for an offense that constitutes sexual abuse under clause (4).

(h) The juvenile court, in proceedings under sections 260B.178, 260C.178, 260C.201, 260C.202, 260C.204, 260C.301, or 260C.503 to 260C.521, shall make findings and conclusions as to the provision of reasonable efforts. When determining whether reasonable efforts have been made, the court shall consider whether services to the child and family were:

(1) relevant to the safety and protection of the child;

(2) adequate to meet the needs of the child and family;

(3) culturally appropriate;

(4) available and accessible;

(5) consistent and timely; and

(6) realistic under the circumstances.

In the alternative, the court may determine that provision of services or further services for the purpose of rehabilitation is futile and therefore unreasonable under the circumstances or that reasonable efforts are not required as provided in paragraph (a).

(i) This section does not prevent out-of-home placement for treatment of a child with a mental disability when it is determined to be medically necessary as a result of the child's diagnostic assessment or individual treatment plan indicates that appropriate and necessary treatment cannot be effectively provided outside of a residential or inpatient treatment program and the level or intensity of supervision and treatment cannot be effectively and safely provided in the child's home or community and it is determined that a residential treatment setting is the least restrictive setting that is appropriate to the needs of the child.

(j) If continuation of reasonable efforts to prevent placement or reunify the child with the parent or guardian from whom the child was removed is determined by the court to be inconsistent with the permanent plan for the child or upon the court making one of the prima facie determinations under paragraph (a), reasonable efforts must be made to place the child in a timely manner in a safe and permanent home and to complete whatever steps are necessary to legally finalize the permanent placement of the child.

(k) Reasonable efforts to place a child for adoption or in another permanent placement may be made concurrently with reasonable efforts to prevent placement or to reunify the child with the parent or guardian from whom the child was removed. When the responsible social services agency decides to concurrently make reasonable efforts for both reunification and permanent placement away from the parent under paragraph (a), the agency shall disclose its decision and both plans for concurrent reasonable efforts to all parties and the court. When the agency discloses its decision to proceed on both plans for reunification and permanent placement away from the parent, the court's review of the agency's reasonable efforts shall include the agency's efforts under both plans.

Sec. 3. Minnesota Statutes 2016, section 299A.785, subdivision 1, is amended to read:

Subdivision 1. **Information to be collected.** The commissioner shall elicit the cooperation and assistance of government agencies and nongovernmental organizations as appropriate to assist in the collection of trafficking data. The commissioner shall direct the appropriate authorities in each agency and organization to make best efforts to collect information relevant to tracking progress on trafficking. The information to be collected may include, but is not limited to:

(1) the numbers of arrests, prosecutions, and successful convictions of traffickers and those committing trafficking-related crimes, including, but not limited to, the following offenses: 609.27 (coercion); 609.282 (labor trafficking); 609.283 (unlawful conduct with respect to documents in furtherance of labor or sex trafficking); 609.321 (promotion of prostitution); 609.322 (solicitation of prostitution); 609.324 (other prostitution crimes); 609.33 (disorderly house); 609.352 (solicitation of a child); ~~and~~ 617.245 and 617.246 (use of minors in sexual performance); 617.247 (possession of pornographic work involving minors); and 617.293 (harmful materials; dissemination and display to minors prohibited);

(2) statistics on the number of trafficking victims, including demographics, method of recruitment, and method of discovery;

(3) trafficking routes and patterns, states or country of origin, and transit states or countries;

(4) method of transportation, motor vehicles, aircraft, watercraft, or by foot if any transportation took place; ~~and~~

(5) social factors that contribute to and foster trafficking, especially trafficking of women and children; and

(6) the manner in which pornography supports trafficking by contributing to demand, grooming or training victims, and creating additional revenue streams for traffickers.

Sec. 4. Minnesota Statutes 2016, section 609.3241, is amended to read:

609.3241 PENALTY ASSESSMENT AUTHORIZED.

(a) When a court sentences an adult convicted of violating section 609.27, 609.282, 609.283, 609.322 ~~or~~, 609.324, 609.33, 609.352, 617.246, 617.247, or 617.293, while acting other than as a prostitute, the court shall impose an assessment of not less than \$500 and not more than \$750 for a misdemeanor violation of section 609.27, a violation of section 609.324, subdivision 2, ~~or~~ a misdemeanor violation of section 609.324, subdivision 3, a violation of section 609.33, or a violation of section 617.293; otherwise the court shall impose an assessment of not less than \$750 and not more than \$1,000. The assessment shall be distributed as provided in paragraph (c) and is in addition to the surcharge required by section 357.021, subdivision 6.

(b) The court may not waive payment of the minimum assessment required by this section. If the defendant qualifies for the services of a public defender or the court finds on the record that the convicted person is indigent or that immediate payment of the assessment would create undue hardship for the convicted person or that person's immediate family, the court may reduce the amount of the minimum assessment to not less than \$100. The court also may authorize payment of the assessment in installments.

(c) The assessment collected under paragraph (a) must be distributed as follows:

(1) 40 percent of the assessment shall be forwarded to the political subdivision that employs the arresting officer for use in enforcement, training, and education activities related to combating sexual exploitation of youth, or if the arresting officer is an employee of the state, this portion shall be forwarded to the commissioner of public safety for those purposes identified in clause (3);

(2) 20 percent of the assessment shall be forwarded to the prosecuting agency that handled the case for use in training and education activities relating to combating sexual exploitation activities of youth; and

(3) 40 percent of the assessment must be forwarded to the commissioner of health to be deposited in the safe harbor for youth account in the special revenue fund and are appropriated to the commissioner for distribution to crime victims services organizations that provide services to sexually exploited youth, as defined in section 260C.007, subdivision 31.

(d) A safe harbor for youth account is established as a special account in the state treasury.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 5. [609.3454] STAYS OF SENTENCE OR ADJUDICATION; REPORTS REQUIRED.

(a) By January 31 of each year, each county attorney whose office has prosecuted an offense in the preceding calendar year for which a court has imposed: (1) a stay of imposition or execution of sentence under section 609.342, subdivision 3; 609.343, subdivision 3; 609.344, subdivision 3; or 609.345, subdivision 3, in a case where the offender faced a presumptive commitment to prison; or (2) a stay of adjudication of guilt for a violation of section 243.166; 609.342; 609.343; 609.344; 609.345; 609.3451, subdivision 3; or 609.3453, shall report to the Minnesota County Attorneys Association the following information on each offense for which a stay was imposed:

(1) general information about the case, including a brief description of the facts and any relevant information specific to the case's prosecution;

(2) whether the prosecutor objected to or supported the court's decision to impose a stay and the reasons for that position;

(3) what conditions of probation were imposed by the court on the offender; and

(4) any other information the county attorney deems appropriate.

(b) By March 1 of each year, the Minnesota County Attorneys Association shall forward to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over criminal justice policy a combined report that includes the reports of each county attorney under paragraph (a).

(c) Reports under this section must not identify individuals who are offenders, victims, or witnesses to an offense.

Sec. 6. Minnesota Statutes 2016, section 609.746, subdivision 1, is amended to read:

Subdivision 1. **Surreptitious intrusion; observation device.** (a) A person is guilty of a gross misdemeanor who:

(1) enters upon another's property;

(2) surreptitiously gazes, stares, or peeps in the window or any other aperture of a house or place of dwelling of another; and

(3) does so with intent to intrude upon or interfere with the privacy of a member of the household.

(b) A person is guilty of a gross misdemeanor who:

(1) enters upon another's property;

(2) surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events through the window or any other aperture of a house or place of dwelling of another; and

(3) does so with intent to intrude upon or interfere with the privacy of a member of the household.

(c) A person is guilty of a gross misdemeanor who:

(1) surreptitiously gazes, stares, or peeps in the window or other aperture of a sleeping room in a hotel, as defined in section 327.70, subdivision 3, a tanning booth, or other place where a reasonable person would have an expectation of privacy and has exposed or is likely to expose their intimate parts, as defined in section 609.341, subdivision 5, or the clothing covering the immediate area of the intimate parts; and

(2) does so with intent to intrude upon or interfere with the privacy of the occupant.

(d) A person is guilty of a gross misdemeanor who:

(1) surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events through the window or other aperture of a sleeping room in a hotel, as defined in section 327.70, subdivision 3, a tanning booth, or other place where a reasonable person would have an expectation of privacy and has exposed or is likely to expose their intimate parts, as defined in section 609.341, subdivision 5, or the clothing covering the immediate area of the intimate parts; and

(2) does so with intent to intrude upon or interfere with the privacy of the occupant.

(e) A person is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both, if the person:

(1) violates this subdivision after a previous conviction under this subdivision or section 609.749; or

(2) violates this subdivision against a minor under the age of 18, knowing or having reason to know that the minor is present.

(f) A person is guilty of a felony and may be sentenced to imprisonment for not more than four years or to payment of a fine of not more than \$5,000, or both, if the person violates paragraph (b) or (d) against a minor under the age of 18, knowing or having reason to know that the minor is present, if the violation is committed with sexual intent.

(g) Paragraphs (b) and (d) do not apply to law enforcement officers or corrections investigators, or to those acting under their direction, while engaged in the performance of their lawful duties. Paragraphs (c) and (d) do not apply to conduct in: (1) a medical facility; or (2) a commercial establishment if the owner of the establishment has posted conspicuous signs warning that the premises are under surveillance by the owner or the owner's employees.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 7. Minnesota Statutes 2016, section 617.246, subdivision 2, is amended to read:

Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use or permit a minor to engage in or assist others to engage minors in posing or modeling alone or with others in any sexual performance or pornographic work if the person knows or has reason to know that the conduct intended is a sexual performance or a pornographic work.

Any person who violates this ~~subdivision~~ paragraph is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000 ~~for the first offense and \$40,000 for a second or subsequent offense~~, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.247;

(2) the violation occurs when the person is a registered predatory offender under section 243.166;
or

(3) the violation involved a minor under the age of 13 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2016, section 617.246, subdivision 3, is amended to read:

Subd. 3. **Operation or ownership of business.** (a) A person who owns or operates a business in which a pornographic work, as defined in this section, is disseminated to an adult or a minor or is reproduced, and who knows the content and character of the pornographic work disseminated or reproduced, is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or to payment of a fine of not more than \$20,000 ~~for the first offense and \$40,000 for a second or subsequent offense~~, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.247;

(2) the violation occurs when the person is a registered predatory offender under section 243.166;
or

(3) the violation involved a minor under the age of 13 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 9. Minnesota Statutes 2016, section 617.246, subdivision 4, is amended to read:

Subd. 4. **Dissemination.** (a) A person who, knowing or with reason to know its content and character, disseminates for profit to an adult or a minor a pornographic work, as defined in this section, is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or to payment of a fine of not more than \$20,000 ~~for the first offense and \$40,000 for a second or subsequent offense~~, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.247;

(2) the violation occurs when the person is a registered predatory offender under section 243.166;
or

(3) the violation involved a minor under the age of 13 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2016, section 617.246, subdivision 7, is amended to read:

Subd. 7. **Conditional release term.** Notwithstanding the statutory maximum sentence otherwise applicable to the offense or any provision of the sentencing guidelines, when a court commits a person to the custody of the commissioner of corrections for violating this section, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for five years. If the person has previously been convicted of a violation of this section, section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.3453, or 617.247, or any similar statute of the United States, this state, or any state, the commissioner shall place the person on conditional release for ~~ten~~ 15 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 11. Minnesota Statutes 2016, section 617.247, subdivision 3, is amended to read:

Subd. 3. **Dissemination prohibited.** (a) A person who disseminates pornographic work to an adult or a minor, knowing or with reason to know its content and character, is guilty of a felony and may be sentenced to imprisonment for not more than seven years ~~and~~ or to payment of a fine of not more than \$10,000 for a first offense and for not more than 15 years and a fine of not more than \$20,000 for a second or subsequent offense, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.246;

(2) the violation occurs when the person is a registered predatory offender under section 243.166;
or

(3) the violation involved a minor under the age of 13 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 12. Minnesota Statutes 2016, section 617.247, subdivision 4, is amended to read:

Subd. 4. **Possession prohibited.** (a) A person who possesses a pornographic work or a computer disk or computer or other electronic, magnetic, or optical storage system or a storage system of any other type, containing a pornographic work, knowing or with reason to know its content and character, is guilty of a felony and may be sentenced to imprisonment for not more than five years ~~and or to payment of a fine of not more than \$5,000 for a first offense and for not more than ten years and a fine of not more than \$10,000 for a second or subsequent offense,~~ or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.246;

(2) the violation occurs when the person is a registered predatory offender under section 243.166;
or

(3) the violation involved a minor under the age of 13 years.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 13. Minnesota Statutes 2016, section 617.247, subdivision 9, is amended to read:

Subd. 9. **Conditional release term.** Notwithstanding the statutory maximum sentence otherwise applicable to the offense or any provision of the sentencing guidelines, when a court commits a person to the custody of the commissioner of corrections for violating this section, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for five years. If the person has previously been convicted of a violation of this section, section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.3453, or 617.246, or any similar statute of the United States, this state, or any state, the commissioner shall place the person on conditional release for ~~ten~~ 15 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to crimes committed on or after that date.

Sec. 14. **SENTENCING GUIDELINES MODIFICATION.**

The Sentencing Guidelines Commission shall comprehensively review and consider modifying how the Sentencing Guidelines and the sex offender grid address the crimes described in Minnesota Statutes, sections 617.246 and 617.247, as compared to similar crimes, including other sex offenses and other offenses with similar maximum penalties."

Delete the title and insert:

"A bill for an act relating to public safety; increasing penalties for child pornography offenses; requiring reports on court-imposed stays of sentence or adjudication for sex offenses; restricting the grounds that permit reunification of parents and children after the parent sexually abuses a child; increasing the maximum penalty for certain invasion of privacy crimes involving minors; requiring predatory offender registration for certain invasion of privacy crimes involving minors; requiring collection of information on the connection between pornography and sex trafficking; expanding the authorized penalty assessment to include additional crimes; amending Minnesota Statutes 2016, sections 243.166, subdivision 1b; 260.012; 299A.785, subdivision 1; 609.3241; 609.746, subdivision 1; 617.246, subdivisions 2, 3, 4, 7; 617.247, subdivisions 3, 4, 9; proposing coding for new law in Minnesota Statutes, chapter 609."

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

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

S.F. No. 2581: A bill for an act relating to commerce; modifying licensing requirements for mortgage loan originators; amending Minnesota Statutes 2016, sections 58A.07, subdivision 1; 58A.09, subdivision 1.

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

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

S.F. No. 2582: A bill for an act relating to public safety; establishing crimes for interfering or attempting to interfere with point-of-sale terminals, gas pump dispensers, and automated teller machines; amending Minnesota Statutes 2016, sections 609.87, subdivision 2a, by adding subdivisions; 609.891, subdivisions 1, 2, 3.

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

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

S.F. No. 2556: A bill for an act relating to financial institutions; regulating retirement, health savings, and medical savings accounts; providing asset protection; amending Minnesota Statutes 2016, sections 47.75, subdivision 1; 48.15, subdivision 4.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 550.37, is amended by adding a subdivision to read:

Subd. 26. **Health savings accounts; medical savings accounts.** (a) All money held in a health savings account, as defined in the Internal Revenue Code of 1986, section 223(d), as amended, up to a present value of \$25,000.

(b) All money held in a medical savings account, as defined in the Internal Revenue Code of 1986, section 220(d)(1), as amended, up to a present value of \$25,000.

(c) The exemptions in paragraphs (a) and (b) do not apply pursuant to the division of marital assets under section 518.58, a surviving spouse benefit under section 518.581, and a support order under section 518A.53."

Amend the title accordingly

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

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred

S.F. No. 2549: A bill for an act relating to agriculture; extending by ten years the agricultural fertilizer research and education fee, the Minnesota Agricultural Fertilizer Research and Education Council, the Minnesota agricultural fertilizer research and education program, and the agricultural fertilizer research and education account; amending Minnesota Statutes 2016, sections 18C.425, subdivision 6; 18C.80, subdivision 2; Minnesota Statutes 2017 Supplement, sections 18C.70, subdivision 5; 18C.71, subdivision 4.

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

Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred

S.F. No. 2550: A bill for an act relating to agricultural data; classifying agricultural research data maintained by the University of Minnesota; amending Minnesota Statutes 2016, section 13.643, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 13.643, subdivision 7, is amended to read:

Subd. 7. **Research, monitoring, or assessment data.** (a) Except as provided in paragraph (b), the following data created, collected, ~~and~~ or maintained by the Department of Agriculture or the University of Minnesota during research, monitoring, or the assessment of farm practices and related to natural resources, the environment, agricultural facilities, or agricultural practices are classified as private or nonpublic:

(1) names, addresses, telephone numbers, and e-mail addresses of study participants or cooperators; ~~and~~

(2) location of research, study site, and global positioning system data; and

(3) data created, collected, or maintained by the University of Minnesota for inclusion on an agricultural informatics platform or any similar agricultural research database maintained by or hosted at the University of Minnesota.

(b) The following data are public:

(1) location data and unique well numbers for wells and springs unless protected under section 18B.10 or another statute or rule; and

(2) data from samples collected from a public water supply as defined in section 144.382, subdivision 4.

(c) The Department of Agriculture may disclose data collected under paragraph (a) if the Department of Agriculture determines that there is a substantive threat to human health and safety or to the environment, or to aid in the law enforcement process. The Department of Agriculture or the University of Minnesota may also disclose data with written consent of the subject of the data."

Amend the title numbers accordingly

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

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

S.F. No. 2737: A bill for an act relating to education policy; transferring administration of school trust lands; establishing the school trust management account; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 16A.125, subdivision 5; 84.027, subdivision 18; 84.085, subdivision 1; 89.001, subdivisions 6, 13; 92.01; 92.02; 92.12, subdivision 1; 92.121; 92.13; 93.0015, subdivisions 1, 2; 93.05, subdivision 3; 93.055; 93.22; 93.2236; 94.16, subdivision 3; 127A.30, subdivision 1; 127A.351; 127A.352; 127A.353, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 127A; repealing Minnesota Statutes 2016, section 92.83.

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

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

S.F. No. 1961: A bill for an act relating to education; creating the Student Data Privacy Act; providing penalties; amending Minnesota Statutes 2016, section 13.319, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 125B.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 13.321, is amended by adding a subdivision to read:

Subd. 12. **Student online privacy.** Section 125B.27 governs student privacy and information practices of operators of online services for school purposes.

Sec. 2. **[125B.27] STUDENT ONLINE PRIVACY.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Covered information" means personally identifiable information or material, or information that is linked to personally identifiable information or material, in any media or format that is not publicly available and is any of the following:

(1) created by or provided to an operator by a student, or the student's parent or legal guardian, in the course of the student's, parent's, or legal guardian's use of the operator's site, service, or application for school purposes;

(2) created by or provided to an operator by an employee or agent of a school or school district for school purposes; or

(3) gathered by an operator through the operation of its site, service, or application for school purposes and personally identifies a student including, but not limited to, information in the student's educational record or e-mail, first and last name, home address, telephone number, e-mail address, or other information that allows physical or online contact, discipline records, test results, special education data, juvenile dependency records, grades, evaluations, criminal records, medical records, health records, Social Security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or geolocation information.

(c) "Interactive computer service" has the meaning given in United States Code, title 47, section 230.

(d) "Operator" means, to the extent that it is operating in this capacity, the operator of an Internet Web site, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for school purposes and was designed and marketed for school purposes.

(e) "School purposes" means purposes that are directed by or that customarily take place at the direction of a school, teacher, or school district or aid in the administration of school activities

including, but not limited to, instruction in the classroom or at home, administrative activities, and collaboration between students, school personnel, or parents or legal guardians or are otherwise for the use and benefit of the school.

(f) "Student" means a student in prekindergarten through grade 12.

(h) "Targeted advertising" means presenting advertisements to a student where the advertisement is selected based on information obtained or inferred over time from that student's online behavior, usage of applications, or covered information. It does not include advertising to a student at an online location based upon that student's current visit to that location, or in response to that student's request for information or feedback, without the retention of that student's online activities or requests over time for the purpose of targeting subsequent advertisements.

Subd. 2. **Prohibited activities.** (a) An operator must not knowingly do any of the following:

(1) engage in targeted advertising on the operator's site, service, or application or target advertising on any other site, service, or application if the targeting of the advertising is based on any information, including covered information and persistent unique identifiers, that the operator has acquired because of the use of that operator's site, service, or application for school purposes;

(2) use information, including persistent unique identifiers, created or gathered by the operator's site, service, or application to amass a profile about a student except in furtherance of school purposes. "Amass a profile" does not include the collection and retention of account information that remains under the control of the student, the student's parent or legal guardian, or the school;

(3) sell or rent a student's information, including covered information. This clause does not apply to the purchase, merger, or other type of acquisition of an operator by another entity if the operator or successor entity complies with this section regarding previously acquired student information; or

(4) except as otherwise provided under subdivision 4, disclose covered information unless the disclosure is:

(i) in furtherance of the school purpose of the site, service, or application if the recipient of the covered information disclosed under this item does not further disclose the information unless done to allow or improve operability and functionality of the operator's site, service, or application;

(ii) to ensure legal and regulatory compliance or protect against liability;

(iii) to respond to or participate in the judicial process;

(iv) to protect the safety or integrity of users of the site or others or the security of the site, service, or application;

(v) for a school, educational, or employment purpose requested by the student or the student's parent or guardian, provided that the information is not used or further disclosed for any other purpose;

(vi) to a national assessment provider if the provider secures the express written consent of the student, parent, or legal guardian given in response to clear and conspicuous notice, solely for the

purpose of providing access to employment, educational scholarships or financial aid, or postsecondary educational opportunities; or

(vii) to a third party, if the operator contractually prohibits the third party from using any covered information for any purpose other than providing the contracted service to or on behalf of the operator, prohibits the third party from disclosing any covered information provided by the operator with subsequent third parties, and requires the third party to implement and maintain reasonable security procedures and practices.

(b) Nothing in this subdivision prohibits the operator's use of information for maintaining, developing, supporting, improving, or diagnosing the operator's site, service, or application.

Subd. 3. Security procedures and practices. An operator shall:

(1) implement and maintain reasonable security procedures and practices appropriate to the nature of the covered information designed to protect the covered information from unauthorized access, destruction, use, modification, or disclosure; and

(2) delete within a reasonable time period a student's covered information if the school or school district requests deletion of covered information under the control of the school or school district, unless a student, parent, or legal guardian consents to the maintenance of the covered information.

Subd. 4. Permissible disclosures. An operator may use or disclose covered information of a student under the following circumstances:

(1) if other provisions of federal or state law require the operator to disclose the information and the operator complies with the requirements of federal and state law in protecting and disclosing that information;

(2) for legitimate research purposes as required by state or federal law and subject to the restrictions under applicable state and federal law or as allowed by state or federal law and under the direction of a school, school district, or the Department of Education if covered information is not used for advertising or to amass a profile on the student for purposes other than school purposes; or

(3) to a state or local educational agency, including schools and school districts, for school purposes as permitted by state or federal law.

Subd. 5. Use of information by operator. This section does not prohibit an operator from doing any of the following:

(1) using covered information to improve educational products if that information is not associated with an identified student within the operator's site, service, or application or other sites, services, or applications owned by the operator;

(2) using covered information that is not associated with an identified student to demonstrate the effectiveness of the operator's products or services, including in their marketing;

(3) sharing covered information that is not associated with an identified student for the development and improvement of educational sites, services, or applications;

(4) using recommendation engines to recommend to a student either of the following:

(i) additional content relating to an educational, other learning, or employment opportunity purpose within an online site, service, or application if the recommendation is not determined in whole or in part by payment or other consideration from a third party; or

(ii) additional services relating to an educational, other learning, or employment opportunity purpose within an online site, service, or application if the recommendation is not determined in whole or in part by payment or other consideration from a third party; or

(5) responding to a student's request for information or for feedback without the information or response being determined in whole or in part by payment or other consideration from a third party.

Subd. 6. **Certain activities not affected.** This section does not:

(1) limit the authority of a law enforcement agency to obtain any content or information from an operator as authorized by law or under a court order;

(2) limit the ability of an operator to use student data, including covered information, for adaptive learning or customized student learning purposes;

(3) apply to general audience Internet Web sites, general audience online services, general audience online applications, or general audience mobile applications even if the login credentials created for an operator's site, service, or application may be used to access those general audience sites, services, or applications;

(4) limit service providers from providing Internet connectivity to schools or students and their families;

(5) prohibit an operator of an Internet Web site, online service, online application, or mobile application from marketing educational products directly to parents or legal guardians if the marketing did not result from the use of covered information obtained by the operator through the provision of services covered under this section;

(6) impose a duty upon a provider of an electronic store, gateway, marketplace, or other means of purchasing or downloading software or applications to review or enforce compliance with this section on those applications or software;

(7) impose a duty upon a provider of an interactive computer service to review or enforce compliance with this section by third-party content providers; or

(8) prohibit students from downloading, exporting, transferring, saving, or maintaining their own student data or documents."

Delete the title and insert:

"A bill for an act relating to education; providing for student online privacy; amending Minnesota Statutes 2016, section 13.321, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 125B."

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

Senator Osmek from the Committee on Energy and Utilities Finance and Policy, to which was re-referred

S.F. No. 180: A bill for an act relating to energy; repealing provisions governing hydrogen as an energy source; repealing Minnesota Statutes 2016, sections 216B.8109; 216B.811; 216B.812; 216B.813; 216B.815.

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

Senator Osmek from the Committee on Energy and Utilities Finance and Policy, to which was referred

S.F. No. 2879: A bill for an act relating to energy; public utilities; establishing a pension rate base for purposes of rate increase hearings; amending Minnesota Statutes 2016, section 216B.16, by adding a subdivision.

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

Senator Osmek from the Committee on Energy and Utilities Finance and Policy, to which was referred

S.F. No. 2696: A bill for an act relating to energy; modifying the solar energy incentive program; amending Minnesota Statutes 2017 Supplement, sections 116C.7792; 216B.1691, subdivision 2f.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2017 Supplement, section 116C.7792, is amended to read:

116C.7792 SOLAR ENERGY INCENTIVE PROGRAM.

The utility subject to section 116C.779 shall operate a program to provide solar energy production incentives for solar energy systems of no more than a total nameplate capacity of ~~20~~ 40 kilowatts direct current or less. The program shall be operated for eight consecutive calendar years commencing in 2014. \$5,000,000 shall be allocated in each of the first four years, \$15,000,000 in the fifth year, \$10,000,000 in each of the sixth and seventh years, and \$5,000,000 in the eighth year from funds withheld from transfer to the renewable development account under section 116C.779, subdivision 1, paragraphs (b) and (e), and placed in a separate account for the purpose of the solar production incentive program operated by the utility and not for any other program or purpose. Any unspent amount allocated in the fifth year is available until December 31 of the sixth year. Beginning with the allocation in the sixth year and thereafter, any unspent amount remaining at the end of an allocation year must be transferred to the renewable development account. Applications submitted in the fifth year may be amended without reapplication for that portion of a project over a nameplate capacity of 20 kilowatts. The solar system must be sized to less than 120 percent of the customer's on-site annual energy consumption when combined with other distributed generation resources and

subscriptions provided under section 216B.1641 associated with the premise. The production incentive must be paid for ten years commencing with the commissioning of the system. The utility must file a plan to operate the program with the commissioner of commerce. The utility may not operate the program until it is approved by the commissioner. A change to the program to include projects up to a nameplate capacity of 40 kilowatts or less does not require the utility to file a plan with the commissioner. Any plan approved by the commissioner of commerce must not provide an increased incentive scale over prior years unless the commissioner demonstrates that changes in the market for solar energy facilities require an increase.

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

Page 3, delete line 10 and insert:

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

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

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

S.F. No. 2554: A bill for an act relating to public safety; requiring collection of information on the connection between pornography and sex trafficking; expanding the authorized penalty assessment to include additional crimes; amending Minnesota Statutes 2016, sections 299A.785, subdivision 1; 609.3241.

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 2998: A bill for an act relating to transportation; eliminating the Counties Transit Improvement Board; making technical and conforming changes; amending Minnesota Statutes 2016, sections 297A.99, subdivision 1; 297A.993, subdivisions 1, 2; Minnesota Statutes 2017 Supplement, sections 3.972, subdivision 4; 398A.10, subdivision 3; repealing Minnesota Statutes 2016, section 297A.992, subdivisions 1, 2, 3, 4, 5, 6, 6a, 7, 8, 9, 10, 11, 12; Minnesota Statutes 2017 Supplement, section 297A.992, subdivision 10a.

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

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

S.F. No. 2637: A bill for an act relating to environment; prohibiting Pollution Control Agency from raising certain fees; requiring report on expenditures of fee proceeds; amending Minnesota Statutes 2016, sections 115.03, subdivision 1; 115.77, subdivision 1; 115.84, subdivision 3; Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 115.03, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The agency is hereby given and charged with the following powers and duties:

- (a) to administer and enforce all laws relating to the pollution of any of the waters of the state;
- (b) to investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;
- (c) to establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;
- (d) to encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;
- (e) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, rules, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities:
 - (1) requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;
 - (2) prohibiting or directing the abatement of any discharge of sewage, industrial waste, or other wastes, into any waters of the state or the deposit thereof or the discharge into any municipal disposal system where the same is likely to get into any waters of the state in violation of this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying the schedule of compliance within which such prohibition or abatement must be accomplished;
 - (3) prohibiting the storage of any liquid or solid substance or other pollutant in a manner which does not reasonably assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state;
 - (4) requiring the construction, installation, maintenance, and operation by any person of any disposal system or any part thereof, or other equipment and facilities, or the reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, or the adoption of other remedial measures to prevent, control or abate any discharge or deposit of sewage, industrial waste or other wastes by any person;
 - (5) establishing, and from time to time revising, standards of performance for new sources taking into consideration, among other things, classes, types, sizes, and categories of sources, processes, pollution control technology, cost of achieving such effluent reduction, and any nonwater quality

environmental impact and energy requirements. Said standards of performance for new sources shall encompass those standards for the control of the discharge of pollutants which reflect the greatest degree of effluent reduction which the agency determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants. New sources shall encompass buildings, structures, facilities, or installations from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication by the agency of proposed rules prescribing a standard of performance which will be applicable to such source. Notwithstanding any other provision of the law of this state, any point source the construction of which is commenced after May 20, 1973, and which is so constructed as to meet all applicable standards of performance for new sources shall, consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution Control Act, not be subject to any more stringent standard of performance for new sources during a ten-year period beginning on the date of completion of such construction or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first. Construction shall encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(6) establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system;

(7) requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency shall prescribe, and providing such other information as the agency may reasonably require;

(8) notwithstanding any other provision of this chapter, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision 13, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency shall hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation shall not become effective and shall be adjusted as it applies to such person;

(9) modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants; and

(10) requiring that applicants for wastewater discharge permits evaluate in their applications the potential reuses of the discharged wastewater;

(f) to require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;

(g) to prescribe and alter rules, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state;

(h) to conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable for the discharge of its duties under this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings;

(i) for the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste treatment management plans, and to provide for the implementation of any such plans by means of, including, but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

(j) to train water pollution control personnel, and charge such fees therefor as are necessary to cover the agency's costs. The fees under this paragraph are subject to legislative approval under section 16A.1283. All such fees received shall be paid into the state treasury and credited to the Pollution Control Agency training account;

(k) to impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder;

(l) to set a period not to exceed five years for the duration of any national pollutant discharge elimination system permit or not to exceed ten years for any permit issued as a state disposal system permit only;

(m) to require each governmental subdivision identified as a permittee for a wastewater treatment works to evaluate in every odd-numbered year the condition of its existing system and identify future capital improvements that will be needed to attain or maintain compliance with a national pollutant discharge elimination system or state disposal system permit; and

(n) to train subsurface sewage treatment system personnel, including persons who design, construct, install, inspect, service, and operate subsurface sewage treatment systems, and charge fees as necessary to pay the agency's costs. The fees under this paragraph are subject to legislative approval under section 16A.1283. All fees received must be paid into the state treasury and credited to the agency's training account. Money in the account is appropriated to the agency to pay expenses related to training.

The information required in clause (m) must be submitted in every odd-numbered year to the commissioner on a form provided by the commissioner. The commissioner shall provide technical assistance if requested by the governmental subdivision.

The powers and duties given the agency in this subdivision also apply to permits issued under chapter 114C.

Sec. 2. Minnesota Statutes 2016, section 115.77, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The agency shall collect fees in amounts necessary, but no greater than the amounts necessary, to cover the reasonable costs of reviewing applications and issuing certifications. The fees under this subdivision are subject to legislative approval under section 16A.1283.

Sec. 3. Minnesota Statutes 2016, section 115.84, subdivision 2, is amended to read:

Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories according to this section. ~~Notwithstanding section 16A.1283, the agency may adopt rules establishing fees.~~

Sec. 4. Minnesota Statutes 2016, section 115.84, subdivision 3, is amended to read:

Subd. 3. **Fees.** (a) Until the agency adopts a rule establishing fees for certification, the agency shall collect fees from laboratories registering with the agency, but not accredited by the commissioner of health under sections 144.97 to 144.99, in amounts necessary to cover the reasonable costs of the certification program, including reviewing applications, issuing certifications, and conducting audits and compliance assistance. The fees under this paragraph are subject to legislative approval under section 16A.1283.

(b) Fees under this section must be based on the number, type, and complexity of analytical methods that laboratories are certified to perform.

(c) Revenue from fees charged by the agency for certification shall be credited to the environmental fund.

Sec. 5. Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of developing, reviewing, and acting upon applications for

agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees shall not include the costs of litigation. The fee schedule must reflect reasonable and routine direct and indirect costs associated with permitting, implementation, and enforcement. The agency may impose an additional enforcement fee to be collected for a period of up to two years to cover the reasonable costs of implementing and enforcing the conditions of a permit under the rules of the agency. Water fees under this paragraph are subject to legislative approval under section 16A.1283. Any money collected under this paragraph shall be deposited in the environmental fund.

(b) Notwithstanding paragraph (a), the agency shall collect an annual fee from the owner or operator of all stationary sources, emission facilities, emissions units, air contaminant treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage facilities subject to a notification, permit, or license requirement under this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules adopted thereunder. The annual fee shall be used to pay for all direct and indirect reasonable costs, including legal costs, required to develop and administer the notification, permit, or license program requirements of this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing and acting upon an application for a permit; implementing and enforcing statutes, rules, and the terms and conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally applicable regulations; responding to federal guidance; modeling, analyses, and demonstrations; preparing inventories and tracking emissions; and providing information to the public about these activities.

(c) The agency shall set fees that:

(1) will result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national primary ambient air quality standard has been promulgated;

(2) may result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is regulated under this chapter or air quality rules adopted under this chapter; and

(3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount needed to match grant funds received by the state under United States Code, title 42, section 7405 (section 105 of the federal Clean Air Act).

The agency must not include in the calculation of the aggregate amount to be collected under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant from a source. The increase in air permit fees to match federal grant funds shall be a surcharge on existing fees. The commissioner may not collect the surcharge after the grant funds become unavailable. In addition, the commissioner shall use nonfee funds to the extent practical to match the grant funds so that the fee surcharge is minimized.

(d) To cover the reasonable costs described in paragraph (b), the agency shall provide in the rules promulgated under paragraph (c) for an increase in the fee collected in each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of the year the fee is collected exceeds the Consumer Price Index for the calendar year 1989. For purposes of this paragraph the Consumer Price Index for any calendar year is the average of the Consumer Price Index for all-urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year. The revision of the Consumer Price Index that is most consistent with the Consumer Price Index for calendar year 1989 shall be used.

(e) Any money collected under paragraphs (b) to (d) must be deposited in the environmental fund and must be used solely for the activities listed in paragraph (b).

(f) Permit applicants who wish to construct, reconstruct, or modify a project may offer to reimburse the agency for the costs of staff time or consultant services needed to expedite the preapplication process and permit development process through the final decision on the permit, including the analysis of environmental review documents. The reimbursement shall be in addition to permit application fees imposed by law. When the agency determines that it needs additional resources to develop the permit application in an expedited manner, and that expediting the development is consistent with permitting program priorities, the agency may accept the reimbursement. The commissioner must give the applicant an estimate of costs to be incurred by the commissioner. The estimate must include a brief description of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for each task. The applicant and the commissioner must enter into a written agreement detailing the estimated costs for the expedited permit decision-making process to be incurred by the agency. The agreement must also identify staff anticipated to be assigned to the project. The commissioner must not issue a permit until the applicant has paid all fees in full. The commissioner must refund any unobligated balance of fees paid. Reimbursements accepted by the agency are appropriated to the agency for the purpose of developing the permit or analyzing environmental review documents. Reimbursement by a permit applicant shall precede and not be contingent upon issuance of a permit; shall not affect the agency's decision on whether to issue or deny a permit, what conditions are included in a permit, or the application of state and federal statutes and rules governing permit determinations; and shall not affect final decisions regarding environmental review.

(g) The fees under this subdivision are exempt from section 16A.1285."

Delete the title and insert:

"A bill for an act relating to environment; prohibiting the Pollution Control Agency from raising certain fees without legislative approval; amending Minnesota Statutes 2016, sections 115.03, subdivision 1; 115.77, subdivision 1; 115.84, subdivisions 2, 3; Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d."

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 2999: A bill for an act relating to transportation; modifying frequency of the transit financial activity review of Metropolitan Council transportation division by the legislative auditor; amending Minnesota Statutes 2017 Supplement, section 3.972, subdivision 4.

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

Page 2, line 14, delete everything after "effective" and insert "on July 1, 2018."

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

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 2547: A bill for an act relating to transportation; requiring corridors of commerce funds be split equally between the metropolitan area and outside of the metropolitan area; amending Minnesota Statutes 2016, section 161.088, subdivision 2.

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

Page 2, line 1, delete everything after "that" and insert "at least"

Page 2, line 2, delete everything before "50"

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "requiring at least 50 percent of corridors of commerce funding to be allocated to projects outside of the seven-county metropolitan area;"

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2578, 2364, 2581, 2582, 180, 2879, 2696, 2554, 2999, and 2547 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Abeler, Hoffman, and Utke introduced--

S.F. No. 3022: A bill for an act relating to health care; requiring the commissioner of human services to develop a process to identify and report 340B drugs; permitting federally qualified health

centers to submit claims for payment directly to the commissioner of human services; appropriating money for subsidies to federally qualified health centers; amending Minnesota Statutes 2016, section 256B.0625, subdivisions 13, 30.

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

Senators Nelson, Abeler, and Housley introduced--

S.F. No. 3023: A bill for an act relating to state government; requiring the commissioner of management and budget to implement a program to obtain discounted prescription drugs through Canadian pharmacies; establishing a Web site for ordering prescription drugs; providing state and local employee health plans, state health care programs, and health plan companies access to discounted prescription drugs; proposing coding for new law in Minnesota Statutes, chapter 151.

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

Senator Ruud introduced--

S.F. No. 3024: A bill for an act relating to natural resources; modifying licensing requirements; modifying commissioner's duties; prohibiting bear feeding; modifying Wildfire Act; modifying tagging requirements for gear used in commercial fishing; modifying restrictions on using cast nets; modifying penalties related to approved firewood; providing for legal counsel to vacate roads; providing for lease security; modifying requirements of public land sales; adding to and deleting from state parks, recreation areas, and forests; providing criminal penalties; amending Minnesota Statutes 2016, sections 88.75, subdivision 1; 89.551; 92.50, by adding a subdivision; 94.10, subdivision 2; 97A.051, subdivision 2; 97A.433, subdivisions 4, 5; 97C.345, subdivision 3a; Minnesota Statutes 2017 Supplement, sections 84.01, subdivision 6; 84D.03, subdivisions 3, 4; 89.17; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Laws 2008, chapter 368, article 1, section 21, subdivision 2.

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

Senator Chamberlain introduced--

S.F. No. 3025: A bill for an act relating to transportation; establishing requirements related to loan conversion and release of liens for a Department of Transportation contract.

Referred to the Committee on Transportation Finance and Policy.

Senators Goggin, Hall, Pratt, Clausen, and Hoffman introduced--

S.F. No. 3026: A bill for an act relating to education finance; providing grants for water safety instruction for children; appropriating money.

Referred to the Committee on E-12 Policy.

Senator Laine introduced--

S.F. No. 3027: A bill for an act relating to public safety; creating a statewide dangerous dog database; requiring animal control authorities to implant microchips in some dangerous and potentially dangerous dogs; amending Minnesota Statutes 2016, sections 347.51, subdivision 2, by adding a subdivision; 347.515; proposing coding for new law in Minnesota Statutes, chapter 347.

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

Senators Lourey, Latz, and Klein introduced--

S.F. No. 3028: A bill for an act relating to civil commitment; modifying civil commitment laws and procedures; amending Minnesota Statutes 2016, sections 147A.09, subdivision 2; 245.4885, subdivision 1a; 245F.05, subdivision 2; 253B.02, subdivisions 7, 9, 10, by adding a subdivision; 253B.03, subdivisions 6d, 7, 10; 253B.04, subdivision 1a; 253B.045, subdivisions 2, 5, 6; 253B.05, by adding subdivisions; 253B.064, subdivision 1; 253B.07, subdivisions 1, 2, 3, 4, 5; 253B.08, subdivisions 5, 5a; 253B.09, subdivision 1; 253B.092, subdivisions 5, 8; 253B.095, subdivision 3; 253B.10, by adding a subdivision; 253B.12, subdivisions 1, 2, 3; 253B.13, subdivision 1; 253B.15, subdivisions 1, 2, 3, 3a, 3b, 3c, 5, 7, 9, by adding a subdivision; 253B.17, subdivisions 3, 4; 253B.19, subdivision 2; 253B.23, subdivision 1; 256G.02, subdivision 6; 256G.08, subdivision 1; 624.7192; Minnesota Statutes 2017 Supplement, sections 253B.05, subdivision 3; 253B.10, subdivision 1; repealing Minnesota Statutes 2016, section 253B.05, subdivisions 1, 2, 2b, 4.

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

Senators Draheim, Jasinski, Westrom, Utke, and Lang introduced--

S.F. No. 3029: A bill for an act relating to housing; exempting prevailing wage requirements; amending Minnesota Statutes 2016, section 462A.04, by adding a subdivision.

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

Senator Hoffman introduced--

S.F. No. 3030: A bill for an act relating to education finance; appropriating money for the Girls in Action program.

Referred to the Committee on E-12 Policy.

Senator Hoffman introduced--

S.F. No. 3031: A bill for an act relating to education; requiring child safety curriculum; amending Minnesota Statutes 2017 Supplement, section 124E.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on E-12 Policy.

Senator Jensen introduced--

S.F. No. 3032: A bill for an act relating to health insurance; requiring notification prior to provider network changes; amending Minnesota Statutes 2016, section 62K.075.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Jensen, Klein, Westrom, Rosen, and Lourey introduced--

S.F. No. 3033: A bill for an act relating to health care; requiring health care providers and health plan companies to provide price transparency to patients and enrollees; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 2016, section 62J.81.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Jensen and Westrom introduced--

S.F. No. 3034: A bill for an act relating to health insurance; requiring health carriers to offer one health plan that is an any willing provider option; proposing coding for new law in Minnesota Statutes, chapter 62K.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Jensen and Goggin introduced--

S.F. No. 3035: A bill for an act relating to health insurance; requesting the legislative auditor to study and report on disparities in certain health insurance rates; appropriating money.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Latz, Franzen, and Isaacson introduced--

S.F. No. 3036: A resolution condemning white nationalist and neo-Nazi organizations and urging the President and Congress to recognize criminal elements of these groups as domestic terrorist organizations.

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

Senator Bakk introduced--

S.F. No. 3037: A bill for an act relating to game and fish; regulating importation of hunter-harvested Cervidae carcasses; amending Minnesota Statutes 2016, section 97A.505, subdivision 8.

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

Senators Kent, Wiger, Cwodzinski, Wiklund, and Clausen introduced--

S.F. No. 3038: A bill for an act relating to education; limiting the length of state assessments; amending Minnesota Statutes 2017 Supplement, section 120B.30, subdivision 1.

Referred to the Committee on E-12 Policy.

Senators Kiffmeyer, Fischbach, Hall, Eken, and Abeler introduced--

S.F. No. 3039: A bill for an act relating to abortions; regulating retention and composition of medical records; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Senators Housley, Eichorn, and Utke introduced--

S.F. No. 3040: A bill for an act relating to education finance; increasing school district revenues for pupil transportation; modifying calculation of pupil transportation adjustment; appropriating money; amending Minnesota Statutes 2017 Supplement, section 126C.10, subdivision 18a.

Referred to the Committee on E-12 Finance.

Senators Eaton, Marty, Dzedzic, and Wiger introduced--

S.F. No. 3041: A resolution condemning white nationalist and neo-Nazi organizations and urging the President and Congress to recognize criminal elements of these groups as domestic terrorist organizations.

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

Senators Eken, Torres Ray, and Frentz introduced--

S.F. No. 3042: A resolution condemning white nationalist and neo-Nazi organizations and urging the President and Congress to recognize criminal elements of these groups as domestic terrorist organizations.

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

Senator Wiger introduced--

S.F. No. 3043: A bill for an act relating to capital investment; appropriating money for asset preservation at Century College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Wiger introduced--

S.F. No. 3044: A bill for an act relating to capital investment; appropriating money for the Century College applied technology center project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Utke, Benson, Eaton, Rosen, and Abeler introduced--

S.F. No. 3045: A bill for an act relating to human services; appropriating money for refurbishing the White Earth Opiate Treatment Facility.

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

Senator Rest introduced--

S.F. No. 3046: A bill for an act relating to traffic regulations; amending requirements on driving in the right-hand lane; making technical changes; amending Minnesota Statutes 2016, sections 169.18, subdivisions 3, 10; 171.0705, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 169.18, subdivision 7.

Referred to the Committee on Transportation Finance and Policy.

Senator Ruud introduced--

S.F. No. 3047: A bill for an act relating to game and fish; requiring ground blinds to display blaze orange or blaze pink during the firearms deer season; amending Minnesota Statutes 2017 Supplement, section 97B.071.

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

Senators Hall; Pratt; Anderson, B.; Rosen; and Senjem introduced--

S.F. No. 3048: A bill for an act relating to state government; designating Dan Patch as the official state horse; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Senators Anderson, P.; Clausen; and Weber introduced--

S.F. No. 3049: A bill for an act relating to education; clarifying qualified providers of mental health services for innovative mental health grants to intermediate school districts; amending Laws 2017, First Special Session chapter 5, article 2, section 56.

Referred to the Committee on E-12 Policy.

Senators Utke and Abeler introduced--

S.F. No. 3050: A bill for an act relating to human services; appropriating funds for community action grants.

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

Senators Cwodzinski, Osmek, Jensen, and Franzen introduced--

S.F. No. 3051: A bill for an act relating to capital investment; appropriating money for expansion of the SouthWest Transit bus garage and maintenance facility; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Hall, Pratt, and Draheim introduced--

S.F. No. 3052: A bill for an act relating to capital investment; appropriating money for a regional intensive residential treatment services (IRTS) and crisis stabilization facility in Scott County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Champion introduced--

S.F. No. 3053: A bill for an act relating to housing; landlord and tenant; prescribing when an eviction action may be disclosed in a residential tenant report; amending Minnesota Statutes 2016, section 504B.241, subdivision 5.

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

Senators Newton and Little introduced--

S.F. No. 3054: A bill for an act relating to taxation; property; increasing the homestead valuation exclusion for disabled veterans; amending Minnesota Statutes 2016, section 273.13, subdivision 34.

Referred to the Committee on Taxes.

Senators Pratt, Draheim, and Hall introduced--

S.F. No. 3055: A bill for an act relating to local government; modifying county authorization for storm and sanitary sewer systems; amending Minnesota Statutes 2016, section 444.075, subdivision 1a.

Referred to the Committee on Local Government.

Senator Benson introduced--

S.F. No. 3056: A bill for an act relating to state government; requiring proposed changes to state employee group insurance to be submitted separately to the Legislative Coordinating Commission; amending Minnesota Statutes 2016, section 3.855, subdivision 2.

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

Senator Newman introduced--

S.F. No. 3057: A bill for an act relating to transportation; prohibiting use of cell phones while driving under specified circumstances; amending penalty provisions; amending Minnesota Statutes 2016, sections 169.011, subdivision 94; 169.471, by adding a subdivision; 169.475; Minnesota Statutes 2017 Supplement, sections 171.05, subdivision 2b; 171.055, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

Senators Draheim; Anderson, P.; Clausen; Jensen; and Abeler introduced--

S.F. No. 3058: A bill for an act relating to higher education; providing for a student loan debt counseling grant; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Higher Education Finance and Policy.

Senators Lourey, Eken, and Isaacson introduced--

S.F. No. 3059: A bill for an act relating to agriculture; requiring country of origin labeling for certain meat products; amending Minnesota Statutes 2016, section 34A.03; proposing coding for new law in Minnesota Statutes, chapter 31.

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

Senators Utke and Sparks introduced--

S.F. No. 3060: A bill for an act relating to insurance; regulating affinity group coverages and insurance fraud; amending Minnesota Statutes 2016, sections 60A.06, subdivision 1; 60A.37, subdivision 2; 65B.44, subdivision 2a; Minnesota Statutes 2017 Supplement, section 72A.328, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Hall, Mathews, Johnson, Kiffmeyer, and Anderson, P. introduced--

S.F. No. 3061: A bill for an act relating to education; requiring display of national motto in school buildings; amending Minnesota Statutes 2017 Supplement, section 124E.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on E-12 Policy.

Senator Fischbach introduced--

S.F. No. 3062: A bill for an act relating to higher education; limiting loan forgiveness appropriations; amending Minnesota Statutes 2017 Supplement, section 136A.1789, subdivision 2; Laws 2017, chapter 89, article 1, section 2, subdivisions 33, 34.

Referred to the Committee on Higher Education Finance and Policy.

Senator Ingebrigtsen introduced--

S.F. No. 3063: A bill for an act relating to natural resources; allowing all-terrain vehicles in certain state campgrounds; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Senator Ingebrigtsen introduced--

S.F. No. 3064: A bill for an act relating to natural resources; modifying all-terrain vehicle safety education and training provisions for youth; amending Minnesota Statutes 2017 Supplement, sections 84.925, subdivision 1; 84.9256, subdivision 1.

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

Senators Lang, Tomassoni, Ingebrigtsen, Ruud, and Hoffman introduced--

S.F. No. 3065: A bill for an act relating to natural resources; appropriating money for grants for shooting sports facilities.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Rosen, Hayden, Lourey, Abeler, and Relph introduced--

S.F. No. 3066: A bill for an act relating to human services; modifying provisions governing mental health providers; amending Minnesota Statutes 2016, sections 245.4871, subdivision 4; 256B.0622, subdivision 7a; 256B.0623, subdivision 5; 256B.0625, by adding a subdivision; 256B.0946, subdivision 1a; Minnesota Statutes 2017 Supplement, sections 245.462, subdivision 17; 245.4871, subdivision 26; 256B.0943, subdivision 1.

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

Senators Relph, Laine, Pappas, and Klein introduced--

S.F. No. 3067: A bill for an act relating to public health; establishing a domestic violence and sexual assault prevention program; modifying fees; requiring reports; amending Minnesota Statutes 2016, section 517.08, subdivisions 1b, 1c; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Senators Ruud, Housley, Anderson, P., Draheim, and Nelson introduced--

S.F. No. 3068: A bill for an act relating to public safety; appropriating money for public school security audits.

Referred to the Committee on E-12 Policy.

Senator Sparks introduced--

S.F. No. 3069: A bill for an act relating to taxation; sales and use; providing an exemption for certain nonprofit conservation clubs; amending Minnesota Statutes 2016, section 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Sparks introduced--

S.F. No. 3070: A bill for an act relating to capital investment; appropriating money for improvements at Riverland Community College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Bakk introduced--

S.F. No. 3071: A bill for an act relating to capital investment; appropriating money for waterfront revitalization in the city of Ranier; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Lourey, Fischbach, Johnson, Bakk, and Isaacson introduced--

S.F. No. 3072: A bill for an act relating to higher education; requiring certain payments by the Board of Trustees of the Minnesota State Colleges and Universities for debt service on state-issued bonds; proposing coding for new law in Minnesota Statutes, chapter 136F.

Referred to the Committee on Higher Education Finance and Policy.

Senators Westrom and Dzedzic introduced--

S.F. No. 3073: A bill for an act relating to taxation; property; modifying documentation of tax-forfeited land sale; amending Minnesota Statutes 2016, section 282.01, subdivision 6.

Referred to the Committee on Taxes.

Senator Ingebrigtsen introduced--

S.F. No. 3074: A bill for an act relating to capital investment; appropriating money for a visitor and trail center in Glendalough State Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Westrom, Johnson, Dahms, Tomassoni, and Eken introduced--

S.F. No. 3075: A bill for an act relating to waters; providing for supplemental grants for wastewater infrastructure projects; requiring a report; appropriating money; amending Minnesota

Statutes 2017 Supplement, section 446A.073, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 446A.

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

Senators Tomassoni and Bakk introduced--

S.F. No. 3076: A bill for an act relating to environment; appropriating money for Central Iron Range Sanitary Sewer District.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Lang, Sparks, Weber, Eken, and Johnson introduced--

S.F. No. 3077: A bill for an act relating to taxation; modifying levy authority of watershed districts; amending Minnesota Statutes 2016, section 103D.905, subdivision 9.

Referred to the Committee on Taxes.

Senator Torres Ray introduced--

S.F. No. 3078: A bill for an act relating to transportation; modifying the state rail safety inspection program; amending Minnesota Statutes 2016, section 219.015, subdivisions 1, 2.

Referred to the Committee on Transportation Finance and Policy.

Senator Torres Ray introduced--

S.F. No. 3079: A bill for an act relating to criminal justice; requiring predatory offender registration for soliciting a prostitute; enhancing penalties for soliciting a prostitute; amending Minnesota Statutes 2016, sections 243.166, subdivision 1b; 609.131, subdivision 2; 609.324, subdivisions 3, 4; 609.3241; 609.3242, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 2016, section 609.324, subdivision 2.

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

Senator Torres Ray introduced--

S.F. No. 3080: A bill for an act relating to housing; allowing local government to implement rent stabilization measures; prohibiting rent stabilization for some residential buildings; allowing local ordinances for eviction actions to control over state law; proposing coding for new law in Minnesota Statutes, chapters 471; 504B; repealing Minnesota Statutes 2016, section 471.9996.

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

Senator Torres Ray introduced--

S.F. No. 3081: A resolution memorializing the United States Secretary of Commerce to reject a request to include a citizenship question on the 2020 Census; urging the President and Congress

of the United States to take necessary steps to prevent a citizenship question or other actions that could undercount the whole number of persons in each state in the 2020 Census results.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Weber, Dzedzic, Jasinski, Dahms, and Sparks introduced--

S.F. No. 3082: A bill for an act relating to local government aid; increasing the city aid appropriation; amending Minnesota Statutes 2017 Supplement, section 477A.03, subdivision 2a.

Referred to the Committee on Taxes.

Senators Champion and Dzedzic introduced--

S.F. No. 3083: A bill for an act relating to the city of Minneapolis; authorizing the use of special tax increment financing rules for a project.

Referred to the Committee on Taxes.

Senators Draheim, Eichorn, and Anderson, P. introduced--

S.F. No. 3084: A bill for an act relating to higher education; mandating a standardized financial aid award letter for the Minnesota State Colleges and Universities; imposing a moratorium on new student fees at the Minnesota State Colleges and Universities; requiring reports; amending Minnesota Statutes 2016, section 136F.303; proposing coding for new law in Minnesota Statutes, chapter 136F.

Referred to the Committee on Higher Education Finance and Policy.

Senator Chamberlain introduced--

S.F. No. 3085: A bill for an act relating to education; assigning authority for pupil transportation for certain homeless students; appropriating money; amending Minnesota Statutes 2016, section 120A.20, subdivision 2.

Referred to the Committee on E-12 Policy.

Senator Pratt introduced--

S.F. No. 3086: A bill for an act relating to education; providing for prekindergarten through grade 12 education, including general education, education excellence, teachers, facilities and technology, nutrition, early childhood and family support, and self-sufficiency and lifelong learning; amending Minnesota Statutes 2016, sections 123B.14, subdivision 7; 124D.111, subdivisions 3, 4; 124D.78, subdivision 2; 124D.98, subdivision 3; 125B.07, subdivision 6; 126C.15, subdivision 5; 127A.45, subdivisions 11, 16; 128D.06, subdivision 1; Minnesota Statutes 2017 Supplement, sections 120B.35, subdivision 3; 121A.335, subdivision 3; 122A.09, by adding a subdivision; 122A.183, subdivision 2; 123B.52, subdivision 7; 124D.165, subdivisions 2, 3, 4; 124D.549; 136A.246, subdivision 4; 155A.30, subdivision 12; 609A.03, subdivision 7a; 626.556, subdivision 2; Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 23; repealing Minnesota

Statutes 2016, sections 120B.35, subdivisions 4, 5; 123A.26, subdivision 3; 125A.75, subdivision 9; 128D.06, subdivision 3.

Referred to the Committee on E-12 Policy.

Senator Pratt introduced--

S.F. No. 3087: A bill for an act relating to education finance; increasing the safe schools levy; amending Minnesota Statutes 2016, section 126C.44.

Referred to the Committee on E-12 Finance.

Senators Lourey, Fischbach, Dibble, Nelson, and Eken introduced--

S.F. No. 3088: A bill for an act relating to health; making changes to statutory provisions affecting older and vulnerable adults; modifying the Minnesota Health Records Act and the health care bill of rights; modifying regulation of nursing homes, home care providers, housing with services establishments, and assisted living services; modifying requirements for reporting maltreatment of vulnerable adults; establishing an advisory task force; providing for access to information and data sharing; requiring reports; imposing civil and criminal penalties; amending Minnesota Statutes 2016, sections 144.291, subdivision 2; 144.6501, subdivision 3, by adding a subdivision; 144.651, subdivisions 1, 2, 4, 6, 14, 16, 17, 20, 21, by adding subdivisions; 144A.10, subdivision 1; 144A.44; 144A.441; 144A.442; 144A.45, subdivisions 1, 2; 144A.474, subdivisions 1, 8, 9; 144A.4791, subdivision 10; 144A.53, subdivisions 1, 4; 144D.01, subdivision 1; 144D.02; 144D.04, by adding a subdivision; 144D.09; 144G.01, subdivision 1; 325F.71; 573.02, subdivision 2; 609.2231, subdivision 8; 626.557, subdivisions 3, 4, 9, 9a, 9b, 9c, 9d, 10b, 12b, 14, 17; 626.5572, by adding a subdivision; Minnesota Statutes 2017 Supplement, sections 144A.474, subdivision 11; 144D.04, subdivision 2; 256.045, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapters 144; 144D; 144G; repealing Minnesota Statutes 2016, sections 144G.03, subdivision 6; 256.021.

Referred to the Committee on Aging and Long-term Care Policy.

Senators Nelson, Miller, and Isaacson introduced--

S.F. No. 3089: A bill for an act relating to taxation; income; providing a subtraction for supporting vocational training; amending Minnesota Statutes 2016, sections 290.0132, by adding a subdivision; 290.0134, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Jasinski, Senjem, Dahms, Tomassoni, and Westrom introduced--

S.F. No. 3090: A bill for an act relating to motor vehicles; modifying the class of vehicles requiring a salvage certificate of title; amending Minnesota Statutes 2016, section 168A.151, subdivision 1.

Referred to the Committee on Transportation Finance and Policy.

Senator Cwodzinski introduced--

S.F. No. 3091: A bill for an act relating to education; requiring reporting on civics test questions; amending Minnesota Statutes 2017 Supplement, section 120B.36, subdivision 1.

Referred to the Committee on E-12 Policy.

Senator Senjem introduced--

S.F. No. 3092: A bill for an act relating to taxation; sales and use; providing an exemption for Internet service provider machinery and equipment; amending Minnesota Statutes 2016, section 297A.68, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Tomassoni, Bakk, and Senjem introduced--

S.F. No. 3093: A bill for an act relating to capital investment; appropriating money for capital improvements to the Chisholm Sports Arena and Curling Club; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Tomassoni introduced--

S.F. No. 3094: A bill for an act relating to motor vehicles; modifying qualifications for certification to perform certain commercial motor vehicle inspections; amending Minnesota Statutes 2016, section 169.781, subdivision 3.

Referred to the Committee on Transportation Finance and Policy.

Senators Anderson, P.; Pappas; Eichorn; Senjem; and Eaton introduced--

S.F. No. 3095: A bill for an act relating to capital investment; appropriating money for a statewide Second Harvest Heartland charitable food facility in the city of Brooklyn Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Ingebrigtsen, Limmer, and Johnson introduced--

S.F. No. 3096: A bill for an act relating to natural resources; providing for training and licensing of wildland firefighters; amending Minnesota Statutes 2016, section 88.10, by adding a subdivision.

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

Senator Chamberlain introduced--

S.F. No. 3097: A bill for an act relating to local government financing; modifying interest rate for drainage lien principal; modifying definitions; updating code references; amending Minnesota Statutes 2016, sections 103E.611, subdivision 2; 471.831, subdivision 1; 475.521, subdivision 1.

Referred to the Committee on Taxes.

Senators Draheim; Jensen; Anderson, P.; and Hoffman introduced--

S.F. No. 3098: A bill for an act relating to higher education; requiring Minnesota State Colleges and Universities to provide affordable textbooks for a percentage of courses; requiring a report; amending Minnesota Statutes 2016, section 136F.58, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 136F.

Referred to the Committee on Higher Education Finance and Policy.

Senator Relph introduced--

S.F. No. 3099: A bill for an act relating to public safety; establishing a working group to examine crimes against vulnerable adults; requiring a report; appropriating money.

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

Senator Relph introduced--

S.F. No. 3100: A bill for an act relating to health; providing for authorized electronic monitoring in certain health care settings; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Senators Pappas, Bakk, Lourey, Kent, and Hayden introduced--

S.F. No. 3101: A bill for an act relating to health; requiring health plans to cover contraceptive methods, sterilization, and related medical services, patient education, and counseling; providing religious exemptions; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senator Benson introduced--

S.F. No. 3102: A bill for an act relating to health; changing isolation and quarantine provisions; amending Minnesota Statutes 2016, sections 144.419, subdivision 1; 144.4196, subdivisions 1, 2.

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

Senator Relph introduced--

S.F. No. 3103: A bill for an act relating to health; providing protections for older adults and vulnerable adults; modifying the health care and home care bills of rights; modifying the regulation of home care providers; modifying requirements for reporting maltreatment of vulnerable adults; establishing working groups; requiring reports; appropriating money; amending Minnesota Statutes 2016, sections 144.651, subdivision 20; 144A.44, subdivision 1; 144A.473, subdivision 2; 144A.474, subdivision 2; 144A.53, by adding a subdivision; 626.557, subdivisions 9c, 9e, 12b, 17.

Referred to the Committee on Aging and Long-term Care Policy.

Senators Torres Ray and Pappas introduced--

S.F. No. 3104: A bill for an act relating to education finance; authorizing extended time revenue for summer programs for students placed at corrections facilities; amending Minnesota Statutes 2017 Supplement, section 126C.10, subdivision 2a.

Referred to the Committee on E-12 Policy.

Senators Torres Ray and Pappas introduced--

S.F. No. 3105: A resolution urging the United States Congress to suspend United States security assistance to Honduras until such time as human rights violations by Honduran security forces cease and their perpetrators are brought to justice.

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

Senator Eichorn introduced--

S.F. No. 3106: A bill for an act relating to capital investment; appropriating money for a grant to Itasca County for radio infrastructure; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Jensen introduced--

S.F. No. 3107: A bill for an act relating to health care; limiting prescriptions for opiates to a seven-day supply; amending Minnesota Statutes 2017 Supplement, section 152.11, subdivision 4.

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

Senator Jensen introduced--

S.F. No. 3108: A bill for an act relating to employment; modifying the minimum wage for certain employees receiving gratuities; amending Minnesota Statutes 2016, section 177.24, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2016, section 177.24, subdivision 2.

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

Senators Wiklund, Bigham, Jensen, and Lourey introduced--

S.F. No. 3109: A bill for an act relating to health; modifying provisions governing access to health records; conforming certain requirements with federal law; amending Minnesota Statutes 2016, sections 13.05, subdivision 4a; 13.3805, subdivision 1; 13.384, subdivision 3; 13.386, subdivision 3; 72A.501, subdivision 4; 72A.502, subdivisions 6, 12; 144.291, subdivision 2; 144.293, subdivisions 2, 7, 8; Minnesota Statutes 2017 Supplement, section 13.46, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 2016, section 144.293, subdivisions 4, 6, 10.

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

Senator Weber introduced--

S.F. No. 3110: A bill for an act relating to energy; allowing alternative review for high-voltage transmission lines applicants under certain conditions; amending Minnesota Statutes 2016, section 216E.04, subdivision 2.

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

Senator Weber introduced--

S.F. No. 3111: A bill for an act relating to natural resources; modifying requirements for saltwater aquatic farms; amending Minnesota Statutes 2016, sections 17.494; 17.4982, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Senators Marty, Dziedzic, Cohen, and Hawj introduced--

S.F. No. 3112: A bill for an act relating to arts and cultural heritage; appropriating money for Bell Museum of Natural History.

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

Senators Johnson, Eken, Ingebrigtsen, and Tomassoni introduced--

S.F. No. 3113: A bill for an act relating to state government; modifying rulemaking; amending Minnesota Statutes 2016, sections 14.05, by adding subdivisions; 14.116; 14.126; 14.127, subdivision 4; 14.22, subdivision 1; 14.366; 14.381, subdivision 3; 14.388, subdivision 2; 14.45; repealing Minnesota Statutes 2016, section 14.05, subdivision 5.

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

Senator Newton introduced--

S.F. No. 3114: A bill for an act relating to open meeting law; modifying requirements for attendance by interactive television; amending Minnesota Statutes 2016, section 13D.02, subdivision 1.

Referred to the Committee on Local Government.

Senators Mathews, Ingebrigtsen, and Weber introduced--

S.F. No. 3115: A bill for an act relating to natural resources; modifying certain conditions on water appropriations and wells; amending Minnesota Statutes 2016, sections 103G.271, by adding a subdivision; 103G.287, subdivision 4; 103G.289; Minnesota Statutes 2017 Supplement, section 103G.271, subdivision 7.

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

Senator Mathews introduced--

S.F. No. 3116: A bill for an act relating to public safety; allowing permitted and trained school staff to carry firearms; amending Minnesota Statutes 2016, sections 609.66, subdivision 1d; 624.714, subdivision 18, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Senator Westrom introduced--

S.F. No. 3117: A bill for an act relating to property taxes; increasing the number of acres exempt under the agricultural historical society property exemption; amending Minnesota Statutes 2016, section 272.02, subdivision 49.

Referred to the Committee on Taxes.

Senators Westrom, Utke, Draheim, Jasinski, and Tomassoni introduced--

S.F. No. 3118: A bill for an act relating to transportation; allowing counties to increase speed limits on county roads from 55 miles per hour to 60 miles per hour; amending Minnesota Statutes 2016, section 169.14, subdivision 5.

Referred to the Committee on Transportation Finance and Policy.

Senators Westrom and Ingebrigtsen introduced--

S.F. No. 3119: A bill for an act relating to environment; appropriating money to meet certain standards for water quality.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Westrom and Ingebrigtsen introduced--

S.F. No. 3120: A bill for an act relating to environment; providing for offset to achieve certain standards for water quality; appropriating money.

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

Senators Mathews and Gazelka introduced--

S.F. No. 3121: A bill for an act relating to counties; providing a process for making the office of county recorder appointive in Morrison County.

Referred to the Committee on Local Government.

Senator Jensen introduced--

S.F. No. 3122: A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article IV, section 2; reducing the size of the legislature; amending Minnesota Statutes 2016, section 2.031, subdivision 1; repealing Minnesota Statutes 2016, section 2.021.

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

Senators Nelson, Weber, and Sparks introduced--

S.F. No. 3123: A bill for an act relating to education finance; increasing state aid for school district telecommunications projects; appropriating money; amending Minnesota Statutes 2016, section 125B.26, by adding a subdivision; Laws 2017, First Special Session chapter 5, article 5, section 14, subdivision 4.

Referred to the Committee on E-12 Policy.

Senator Simonson introduced--

S.F. No. 3124: A bill for an act relating to taxation; sales and use; providing an exemption for certain construction materials for redevelopment of the site of the former Duluth Central High School; amending Minnesota Statutes 2016, section 297A.71, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 297A.75, subdivisions 1, 2, 3.

Referred to the Committee on Taxes.

Senators Dahms and Nelson introduced--

S.F. No. 3125: A bill for an act relating to education; expanding the use of extended time to pupils enrolled in career and technical education courses; amending Minnesota Statutes 2016, section 126C.05, subdivision 15.

Referred to the Committee on E-12 Policy.

Senator Dahms introduced--

S.F. No. 3126: A bill for an act relating to capital investment; appropriating money for the Clarkfield school project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Pappas introduced--

S.F. No. 3127: A bill for an act proposing an amendment to the Minnesota Constitution; providing for gender-neutral terms.

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

Senators Dibble, Clausen, Carlson, Torres Ray, and Rosen introduced--

S.F. No. 3128: A bill for an act relating to human services; requiring the commissioner to update the 2007 legislative report on runaway and homeless youth.

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

Senators Dibble, Marty, Simonson, and Hoffman introduced--

S.F. No. 3129: A bill for an act relating to capital investment; appropriating money for grants to public school districts for solar energy systems; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dibble introduced--

S.F. No. 3130: A bill for an act relating to public safety; providing temporary appointment of additional driver's license agents to assist with REAL ID implementation; requiring a report; appropriating money.

Referred to the Committee on Transportation Finance and Policy.

Senators Dibble, Pappas, Simonson, Kent, and Wiger introduced--

S.F. No. 3131: A bill for an act relating to public safety; firearms; clarifying that a slide-fire stock for a semiautomatic firearm is a trigger activator; amending Minnesota Statutes 2016, section 609.67, subdivision 1.

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

Senators Dibble, Marty, and Simonson introduced--

S.F. No. 3132: A bill for an act relating to energy; expanding purposes for energy conservation loans; amending Minnesota Statutes 2016, section 462A.05, subdivision 14b.

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

Senator Newman introduced--

S.F. No. 3133: A bill for an act relating to public safety; requiring the Legislative Advisory Committee to review MNLARS appropriation; appropriating money.

Referred to the Committee on Transportation Finance and Policy.

Senators Newton, Lang, and Little introduced--

S.F. No. 3134: A bill for an act relating to natural resources; providing permanent, free state park permits to active military personnel and disabled veterans; amending Minnesota Statutes 2017 Supplement, section 85.053, subdivisions 8, 10.

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

Senators Hall, Tomassoni, and Pratt introduced--

S.F. No. 3135: A bill for an act relating to local government; prohibiting counties, cities, and towns from regulating auxiliary containers; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on Local Government.

Senators Cohen and Latz introduced--

S.F. No. 3136: A bill for an act relating to public safety; criminalizing sexual contact between peace officers and persons under custody; amending Minnesota Statutes 2016, sections 609.344, subdivision 1; 609.345, subdivision 1.

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

Senator Cohen introduced--

S.F. No. 3137: A bill for an act relating to data practices; classifying certain inactive criminal investigative data as private data; amending Minnesota Statutes 2016, section 13.82, by adding a subdivision.

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

Senators Abeler and Hoffman introduced--

S.F. No. 3138: A bill for an act relating to alcohol; establishing craft wineries; amending Minnesota Statutes 2016, sections 340A.101, subdivision 11; 340A.315, as amended.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Benson, Hoffman, Abeler, and Newton introduced--

S.F. No. 3139: A bill for an act relating to public safety; eliminating the voluntary relationship defense for criminal sexual conduct crimes; repealing Minnesota Statutes 2016, section 609.349.

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

Senator Pratt introduced--

S.F. No. 3140: A bill for an act relating to public safety; regulating the lawful possession, purchase, and transfer of firearms and ammunition; amending the definition of crime of violence; establishing mandatory minimum sentences; creating new criminal offenses; providing procedures for restoring firearms rights; directing the commissioner of human services to report mental health commitment information to the National Instant Criminal Background Check System for the purpose of facilitating firearms background checks; creating a reporting requirement; requiring timely transmittal of certain data to certain state and federal searchable databases; amending Minnesota Statutes 2016, sections 245.041; 609.165, subdivision 1b; 609.505, by adding a subdivision; 624.712, subdivision 5; 624.713, subdivisions 1, 2, by adding subdivisions; 624.7141, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 299C; 624; repealing Minnesota Statutes 2016, section 624.713, subdivision 4.

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

Senators Ruud and Ingebrigtsen introduced--

S.F. No. 3141: A bill for an act relating to natural resources; modifying licensing requirements; modifying commissioner's duties; providing for training and licensing of wildland firefighters; prohibiting bear feeding; modifying Wildfire Act; modifying tagging requirements for gear used in commercial fishing; modifying restrictions on using cast nets; modifying penalties related to approved firewood; providing for legal counsel to vacate roads; providing for lease security; modifying requirements of public land sales; adding to and deleting from state parks, recreation areas, and forests; providing criminal penalties; amending Minnesota Statutes 2016, sections 88.10, by adding a subdivision; 88.75, subdivision 1; 89.551; 92.50, by adding a subdivision; 94.10, subdivision 2; 97A.051, subdivision 2; 97A.433, subdivisions 4, 5; 97C.345, subdivision 3a; Minnesota Statutes 2017 Supplement, sections 84.01, subdivision 6; 84D.03, subdivisions 3, 4; 89.17; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Laws 2008, chapter 368, article 1, section 21, subdivision 2.

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

Senator Pappas introduced--

S.F. No. 3142: A bill for an act relating to public safety; criminalizing sexual contact between peace officers and persons under custody; amending Minnesota Statutes 2016, sections 609.344, subdivision 1; 609.345, subdivision 1.

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

Senators Utke, Benson, Mathews, Abeler, and Lourey introduced--

S.F. No. 3143: A bill for an act relating to human services; postponing the expiration date of the Traumatic Brain Injury Advisory Committee; amending Minnesota Statutes 2016, section 256B.093, subdivision 1.

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

Senators Kiffmeyer, Jasinski, Hall, Carlson, and Dibble introduced--

S.F. No. 3144: A bill for an act relating to transportation; appropriating money for an educational campaign regarding stopping for school buses.

Referred to the Committee on Transportation Finance and Policy.

Senators Dahms, Westrom, Tomassoni, and Weber introduced--

S.F. No. 3145: A bill for an act relating to agriculture; appropriating money for mental health counseling.

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

MOTIONS AND RESOLUTIONS

Senator Housley moved that the name of Senator Bigham be added as a co-author to S.F. No. 252. The motion prevailed.

Senator Relph moved that the name of Senator Koran be added as a co-author to S.F. No. 965. The motion prevailed.

Senator Cwodzinski moved that the name of Senator Pratt be added as a co-author to S.F. No. 1061. The motion prevailed.

Senator Marty moved that the name of Senator Wiklund be added as a co-author to S.F. No. 1082. The motion prevailed.

Senator Hoffman moved that the name of Senator Bigham be added as a co-author to S.F. No. 1447. The motion prevailed.

Senator Nelson moved that her name be stricken as a co-author to S.F. No. 1697. The motion prevailed.

Senator Isaacson moved that his name be stricken as a co-author to S.F. No. 1961. The motion prevailed.

Senator Pratt moved that the name of Senator Kent be added as a co-author to S.F. No. 1961. The motion prevailed.

Senator Housley moved that the name of Senator Abeler be added as a co-author to S.F. No. 2413. The motion prevailed.

Senator Chamberlain moved that the name of Senator Lourey be added as a co-author to S.F. No. 2458. The motion prevailed.

Senator Lang moved that the name of Senator Nelson be added as a co-author to S.F. No. 2524. The motion prevailed.

Senator Bakk moved that the names of Senators Lang and Johnson be added as co-authors to S.F. No. 2573. The motion prevailed.

Senator Rosen moved that the name of Senator Jasinski be added as a co-author to S.F. No. 2620. The motion prevailed.

Senator Ruud moved that her name be stricken as a co-author to S.F. No. 2737. The motion prevailed.

Senator Nelson moved that the name of Senator Wiger be added as a co-author to S.F. No. 2754. The motion prevailed.

Senator Hayden moved that the name of Senator Isaacson be added as a co-author to S.F. No. 2786. The motion prevailed.

Senator Clausen moved that the name of Senator Wiklund be added as a co-author to S.F. No. 2815. The motion prevailed.

Senator Newton moved that the name of Senator Marty be added as a co-author to S.F. No. 2817. The motion prevailed.

Senator Hoffman moved that the name of Senator Marty be added as a co-author to S.F. No. 2847. The motion prevailed.

Senator Klein moved that the names of Senators Abeler and Marty be added as co-authors to S.F. No. 2867. The motion prevailed.

Senator Latz moved that the name of Senator Marty be added as a co-author to S.F. No. 2779. The motion prevailed.

Senator Wiklund moved that the name of Senator Marty be added as a co-author to S.F. No. 2884. The motion prevailed.

Senator Nelson moved that the name of Senator Newton be added as a co-author to S.F. No. 2895. The motion prevailed.

Senator Latz moved that the names of Senators Laine and Dziejic and be added as co-authors to S.F. No. 2959. The motion prevailed.

Senator Relph moved that the name of Senator Klein be added as a co-author to S.F. No. 2988. The motion prevailed.

Senator Hoffman moved that the name of Senator Marty be added as a co-author to S.F. No. 2989. The motion prevailed.

Senator Dibble moved that the name of Senator Laine be added as a co-author to S.F. No. 3009. The motion prevailed.

Senator Jensen moved that the name of Senator Rosen be added as a co-author to S.F. No. 3014. The motion prevailed.

Senator Jensen moved that the name of Senator Rosen be added as a co-author to S.F. No. 3015. The motion prevailed.

Senator Ruud moved that S.F. No. 1402 be withdrawn from the Committee on Commerce and Consumer Protection Finance and Policy and re-referred to the Committee on State Government Finance and Policy and Elections. The motion prevailed.

Senator Abeler moved that S.F. No. 2539 be withdrawn from the Committee on Health and Human Services Finance and Policy and re-referred to the Committee on Human Services Reform Finance and Policy. The motion prevailed.

Senator Fischbach moved that S.F. No. 2609 be withdrawn from the Committee on Health and Human Services Finance and Policy and re-referred to the Committee on Human Services Reform Finance and Policy. The motion prevailed.

Senator Fischbach moved that S.F. No. 2610 be withdrawn from the Committee on Health and Human Services Finance and Policy and re-referred to the Committee on Human Services Reform Finance and Policy. The motion prevailed.

Senator Clausen moved that S.F. No. 2659 be withdrawn from the Committee on Higher Education Finance and Policy and re-referred to the Committee on Health and Human Services Finance and Policy. The motion prevailed.

Senator Abeler moved that S.F. No. 2725 be withdrawn from the Committee on Human Services Reform Finance and Policy and re-referred to the Committee on Health and Human Services Finance and Policy. The motion prevailed.

Senator Sparks moved that S.F. No. 2854 be withdrawn from the Committee on Agriculture, Rural Development, and Housing Policy and re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Senator Kent introduced --

Senate Resolution No. 183: A Senate resolution congratulating the Woodbury High School cheer team on winning the National High School Cheerleading Championship in Small Varsity Game Day Non-Tumbling

Referred to the Committee on Rules and Administration.

Senator Bigham introduced --

Senate Resolution No. 184: A Senate resolution honoring the Biscoe Family Farm for being recognized as the 2018 Farm Family of the Year.

Referred to the Committee on Rules and Administration.

Senators Tomassoni, Bakk, Rosen, Gazelka, and Simonson introduced --

Senate Resolution No. 185: A Senate resolution congratulating the United States men's curling team on winning an Olympic gold medal at the 2018 Winter Olympics in Pyeongchang, South Korea.

Referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Senators Cohen, Hayden, Hoffman, and Latz were excused from the Session of today.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 2:45 p.m., Monday, March 12, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

