

**SEVENTY-THIRD DAY**

St. Paul, Minnesota, Wednesday, March 21, 2018

The Senate met at 12:15 p.m. and was called to order by the President.

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Pastor Mike Smith.

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

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

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

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

March 9, 2018

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

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

**BOARD OF SCHOOL ADMINISTRATORS**

Deborah Henton, 12280 McKusick Rd., Stillwater, in the county of Washington, effective March 14, 2018, for a term expiring on January 3, 2022.

Robert Meyer, 12229 Linden Ct., Lindstrom, in the county of Chisago, effective March 14, 2018, for a term expiring on January 3, 2022.

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

Sincerely,  
Mark Dayton, Governor

March 21, 2018

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

Pursuant to Senate Rule 8.2, the following appointment has been withdrawn from the following committee and placed on the Confirmation Calendar:

From the Committee on Jobs and Economic Growth Finance and Policy, to which was referred the following appointment as reported in the Journal for February 2, 2017:

**WORKERS' COMPENSATION COURT OF APPEALS**  
Patricia Milun

Sincerely,  
Cal R. Ludeman  
Secretary of the Senate

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 10:** A Senate concurrent resolution relating to adjournment for more than three days.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 19, 2018

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 3133:** A bill for an act relating to public safety; requiring the legislative auditor to appoint an information technology auditor to conduct an assessment of MNLARS; establishing a MNLARS steering committee; appropriating money.

Senate File No. 3133 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 19, 2018

Senator Newman moved that the Senate do not concur in the amendments by the House to S.F. No. 3133, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1975, 2636, and 3158.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 19, 2018

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 1975:** A bill for an act relating to municipal contracting; narrowing a bidding exception for certain water tank service contracts; amending Minnesota Statutes 2016, section 471.345, subdivision 5b.

Referred to the Committee on Local Government.

**H.F. No. 2636:** 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2364, now on General Orders.

**H.F. No. 3158:** 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2581, now on General Orders.

### REPORTS OF COMMITTEES

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

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

**S.F. No. 3451:** A bill for an act relating to health; requiring a quarterly report on maltreatment investigations.

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

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

**S.F. No. 3437:** 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; requiring reports; providing for access to information and data sharing; imposing civil and criminal penalties; appropriating money; amending Minnesota Statutes 2016, sections 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, 2, 8, 9; 144A.4791, subdivision 10; 144A.53, subdivisions 1, 4; 144D.01, subdivision 1; 144D.02; 144D.04, by adding a subdivision; 144G.01, subdivision 1; 325F.71; 609.2231, subdivision 8; 626.557, subdivisions 3, 4, 9, 9a, 9b, 9c, 9d, 9e, 10b, 12b, 14, 17; 626.5572, subdivision 6, 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, section 256.021.

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

Page 1, line 22, delete "63" and insert "67"

Page 4, line 19, delete "or disable"

Page 4, after line 20, insert:

"(f) Copies of all completed notification and consent forms must be submitted to the facility, and the facility must keep the notification and consent forms on file in a location separate from the resident's clinical record."

Page 4, line 23, delete "in the resident's clinical record" and insert "on the facility's copy of the initial notification and consent form submitted to it according to subdivision 5"

Page 4, lines 26, 30, and 33, delete "nursing home or boarding care home" and insert "facility"

Page 5, lines 1 and 5, delete "nursing home or boarding care" and insert "facility"

Page 5, lines 2 and 6, delete "home"

Page 5, lines 3 and 4, delete "nursing home or boarding care home" and insert "facility"

Page 6, line 10, delete "and"

Page 6, line 12, delete the period and insert "; and"

Page 6, after line 12, insert:

"(8) a signature box for documenting that the resident or roommate has withdrawn consent."

Page 6, line 13, delete "placed in the resident's"

Page 6, line 14, delete everything before "provided"

Page 6, line 15, after the period, insert "The facility must retain the form as described in subdivision 3, paragraph (f)."

Page 8, line 27, after "section" insert "and section 144.6511"

Page 10, delete lines 6 and 7

Page 13, line 26, delete "provider" and insert "facility or person"

Page 13, line 29, delete everything before the semicolon

Page 14, line 4, delete "as provided in paragraph (a)"

Page 16, line 15, after "any" insert "changes to the service plan" and strike "changes" and strike "in the"

Page 16, line 16, strike the first "service plan"

Page 18, line 26, delete "home care"

Page 18, lines 27 and 28, strike "home care"

Page 18, line 28, after "144A.482" insert "or registered under chapter 144D"

Page 18, line 33, after "licensure" insert "and against housing with service establishments" and delete "licensees" and insert "licensed home care providers"

Page 19, delete subdivision 4 and insert:

"Subd. 4. **Retaliation prohibited.** Providers are subject to the same prohibitions against retaliation as are health care facilities under section 144.651, subdivision 34."

Page 27, after line 2, insert:

"Sec. 28. Minnesota Statutes 2016, section 144A.479, subdivision 2, is amended to read:

Subd. 2. ~~Advertising~~ **Deceptive marketing and business practices.** Home care providers shall not use false, fraudulent, or misleading advertising in the marketing of services. For purposes of this section, advertising includes any verbal, written, or electronic means of communicating to potential clients about the availability, nature, or terms of home care services are subject to the same prohibitions against deceptive practices as are health care facilities under section 144.6511."

Page 31, line 12, delete the comma and insert "or"

Page 31, line 13, delete ", and if different from the owner, license holder"

Page 31, after line 15, insert:

"Sec. 36. **[144D.041] DECEPTIVE MARKETING AND BUSINESS PRACTICES.**

Housing with services establishments are subject to the same prohibitions against deceptive practices as are health care facilities under section 144.6511."

Page 31, line 25, after "by" insert "section 144A.441," and before the period, insert ", and section 144D.04, subdivision 6"

Page 32, line 17, delete ", unless restricted by the vulnerable adult or by a court,"

Page 45, line 13, delete "facility" and insert "lead investigative agency"

Page 63, line 11, delete "and"

Page 63, line 12, delete the period and insert "; and"

Page 63, after line 12, insert:

"(14) one representative from a union that represents persons working in long-term care settings."

Page 64, delete line 6

Page 64, after line 30, insert:

"Sec. 64. **DIRECTION TO THE COMMISSIONER.**

The commissioner of health must post every substantiated report of maltreatment of a vulnerable adult at the Web site of the Office of Health Facility Complaints."

Page 65, after line 10, insert:

"Sec. 67. **APPROPRIATION.**

§..... in fiscal year 2019 is appropriated from the general fund to the commissioner of health for needed technological upgrades at the Office of Health Facility Complaints, to be available until June 30, 2022. This is a onetime appropriation. The commissioner may not transfer this appropriation or use the appropriated funds for any other purpose."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

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

**S.F. No. 3173:** A bill for an act relating to human services; changing child protection grant allocation to counties; amending Minnesota Statutes 2016, section 256M.41, subdivision 3, by adding a subdivision.

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

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

**S.F. No. 3228:** A bill for an act relating to children; establishing pilot projects on relative foster care licensing and child protection; requiring reports; amending Minnesota Statutes 2016, section 626.556, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

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

**S.F. No. 3019:** A bill for an act relating to health; making changes to tribal vital record keeping; amending Minnesota Statutes 2016, section 144.225, subdivisions 2, 2a, 7.

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

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

**S.F. No. 2777:** A bill for an act relating to state government; modifying the Commission of Deaf, DeafBlind, and Hard-of-Hearing Minnesotans; amending Minnesota Statutes 2016, section 256C.28, subdivisions 1, 2, 3a, 5, by adding a subdivision.

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

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

**S.F. No. 3171:** A bill for an act relating to human services; establishing a foster care sibling bill of rights; proposing coding for new law in Minnesota Statutes, chapter 260C.

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

Page 1, line 6, delete "Children" and insert "A child" and delete "are siblings" and insert "has a sibling"

Page 1, line 7, delete "have" and insert "has"

Page 2, line 19, after "providers" insert ", adoptive parents,"

Page 2, line 23, before "or" insert "relatives,"

Page 2, line 25, before "A" insert "Child welfare agency staff shall provide" and delete "must be provided" and delete "siblings" and insert "a sibling"

Page 2, line 32, delete "retroactively from" and delete "for" and insert "and applies to"

Page 2, line 33, before the period, insert "on that date, regardless of when the child entered foster care"

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 Fischbach from the Committee on Higher Education Finance and Policy, to which was referred**

**S.F. No. 2611:** A bill for an act relating to higher education; modifying the process for electing members of the Board of Regents of the University of Minnesota; providing for recommendations by congressional district legislative delegation; amending Minnesota Statutes 2016, sections 137.0245, subdivisions 1, 4; 137.0246, subdivision 2, 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 137.0245, is amended to read:

**137.0245 REGENT CANDIDATE ADVISORY COUNCIL LEGISLATIVE COMMISSION ON REGENT SELECTION.**

Subdivision 1. **Establishment.** A Regent Candidate Advisory Council Legislative Commission on Regent Selection is established to assist in determining criteria for, and identifying and recruiting qualified candidates for membership on the Board of Regents and making recommendations to the joint legislative committee described in section 137.0246, subdivision 2.



Subd. 2. **Membership.** ~~(a) The Regent Candidate Advisory Council shall~~ Legislative Commission on Regent Selection ~~consist consists of: 24 members. Twelve members shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members shall be appointed by the speaker of the house. Each appointing authority must appoint one member who is a student enrolled in a degree program at the University of Minnesota at the time of appointment. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of any member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 shall govern the advisory council, except that:~~

~~(1) the members shall be appointed to six-year terms with one-third appointed each even-numbered year; and~~

~~(2) student members are appointed to two-year terms with two students appointed each even-numbered year.~~

~~A member may not serve more than two full terms~~

~~(1) four members of the house of representatives, two of whom are appointed by the speaker of the house and two of whom are appointed by the minority leader; and~~

~~(2) four members of the senate, two of whom are appointed by the majority leader and two of whom are appointed by the minority leader.~~

~~(b) Members serve at the pleasure of the appointing authority. The first appointments must be made by September 1, 2018.~~

~~(c) A chair of the commission serves a two-year term, expiring on June 30 in an even-numbered year. The chair must alternate biennially between a designee of the speaker of the house of representatives and a designee of the senate majority leader. The speaker of the house of representatives shall designate the first chair. The chair may vote on any matter before the commission.~~

Subd. 3. **Duties.** (a) ~~The advisory council~~ commission shall:

(1) develop, in consultation with current and former regents, the University of Minnesota Alumni Association, and the administration of the University of Minnesota, a statement of the selection criteria to be applied and a description of the responsibilities and duties of a regent, and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the Board of Regents, based on the background and experience of the candidates, their potential for discharging the responsibilities of a member of the Board of Regents, and the needs of the board. The selection criteria must not include a limitation on the number of terms an individual may serve on the Board of Regents.

(b) The selection criteria developed under paragraph (a), clause (1), must include a criterion that regents represent diversity in geography; gender; race; occupation, including business and labor; and experience.

(c) The selection criterion must include an identification of the membership needs of the board for individual skills relevant to the governance of the University of Minnesota and the needs for certain individual characteristics. Individual characteristics relate to qualities such as gender, race, and geographic location of residence.

Subd. 4. **Recommendations.** (a) The ~~advisory council~~ commission shall recommend at least ~~two~~ one and not more than ~~four~~ three candidates for each vacancy. By January 15 of each odd-numbered year, the ~~advisory council~~ commission shall submit its recommendations to the joint legislative committee described in section 137.0246, subdivision 2.

(b) The ~~advisory council~~ commission must submit a report to the joint committee on the needs criterion identified under subdivision 3, paragraph (c), at the same time it submits its recommendations.

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the ~~advisory council~~ commission. The Legislative Coordinating Commission shall collect application materials from regent candidates and forward all materials to the Legislative Commission on Regent Selection.

Sec. 2. Minnesota Statutes 2016, section 137.0246, is amended to read:

#### **137.0246 REGENT NOMINATION AND ELECTION.**

Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee consists of the members of the higher education budget and policy divisions in each house of the legislature. The chairs of the divisions from each body shall be cochairs of the joint legislative committee. A majority of the members from each house is a quorum of the joint committee.

(b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent resolution, the joint legislative committee shall meet to consider the ~~advisory council's~~ Legislative Commission on Regent Selection's recommendations for regent of the University of Minnesota for possible presentation to a joint convention of the legislature.

(c) The joint committee may recommend to the joint convention candidates recommended by the ~~advisory council~~ Legislative Commission on Regent Selection and the other candidates nominated by the joint committee. A candidate other than those recommended by the ~~advisory council~~ Legislative Commission on Regent Selection may be nominated for consideration by the joint committee only if the nomination receives the support of at least ~~three~~ four house of representatives members of the committee and ~~two~~ three senate members of the committee. A candidate must receive a majority vote of members from the house of representatives and from the senate on the joint committee to be recommended to the joint convention. The joint committee may recommend no more than one candidate for each vacancy. In recommending nominees, the joint committee must consider the needs of the board of regents and the balance of the board membership with respect to gender, racial, and ethnic composition."

Delete the title and insert:

"A bill for an act relating to higher education; replacing the Regent Candidate Advisory Council with a Legislative Commission on Regent Selection; modifying procedures related to the regent nomination joint committee; amending Minnesota Statutes 2016, sections 137.0245; 137.0246."

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

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

**S.F. No. 3188:** A bill for an act relating to insurance; requiring insurers to notify insureds of the statutory prohibition against payment of rebates or deductibles by residential contractors; regulating claims practices of insurers; amending Minnesota Statutes 2016, section 72A.201, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 65A.

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 325E.66, subdivision 1, is amended to read:

Subdivision 1. **Payment or rebate of insurance deductible.** A residential contractor providing home repair or improvement services to be paid by an insured from the proceeds of a property or casualty insurance policy shall not, as an inducement to the sale or provision of goods or services to an insured, advertise or promise to pay, directly or indirectly, all or part of any applicable insurance deductible or offer to compensate an insured for providing any service to the insured. If a residential contractor violates this section, the insurer to whom the insured tendered the claim shall not be obligated to consider the estimate prepared by the residential contractor. The residential contractor must provide a written explanation of the requirements of this section with its initial estimate. The adjuster or insurer must provide a written explanation of the requirements of this section in the initial estimate relating to the claim.

For purposes of this section, "residential contractor" means a residential roofer, as defined in section 326B.802, subdivision 14; a residential building contractor, as defined in section 326B.802, subdivision 11; and a residential remodeler, as defined in section 326B.802, subdivision 12."

Amend the title as follows:

Page 1, line 4, delete "regulating claims practices of insurers" and insert "requiring contractors and insurer to notify"

Amend the title numbers accordingly

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

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

**S.F. No. 3480:** A bill for an act relating to health care; adding provisions to the price disclosure requirements for providers and health plan companies; amending Minnesota Statutes 2016, section 62J.81.

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

Page 2, lines 21 and 22, delete "care provider" and insert "plan company"

Page 2, line 23, delete "care"

Page 2, line 24, delete "provider" and insert "plan company"

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

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

**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.

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

Page 1, line 6, after "NETWORK" insert "AND COST LEVEL"

Page 1, lines 8 and 14, after the comma, insert "or any known tier or cost level change,"

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

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

**S.F. No. 2843:** A bill for an act relating to credit unions; regulating membership; governance; and powers and duties; amending Minnesota Statutes 2016, sections 52.02; 52.19, subdivision 2; repealing Minnesota Rules, part 2675.6111.

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

Page 3, line 12, reinstate everything before the stricken colon

Page 3, line 13, reinstate everything after the stricken "(1)"

Page 3, line 14, reinstate everything before the stricken semicolon

Page 3, line 15, reinstate the stricken period

Page 3, line 18, after "behavior" insert "as defined in the credit union policy"

Page 3, delete section 3

Amend the title numbers accordingly

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

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

**S.F. No. 919:** A bill for an act relating to commerce; providing financial exploitation protections for older adults and vulnerable adults; proposing coding for new law as Minnesota Statutes, chapter 45A.

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. 3245:** A bill for an act relating to energy; modifying the energy improvements program; providing consumer protections for residential property assessed clean energy (PACE) loans; providing remedies; amending Minnesota Statutes 2016, sections 45.011, subdivision 1; 46.04, subdivision 1; 46.131, subdivisions 1, 2, 4; 216C.435, subdivisions 1, 2, 3a, 6, 8, by adding subdivisions; 216C.436, subdivisions 1, 2, 5, 7, 8, 9, by adding a subdivision; 290B.03, subdivision 1; Minnesota Statutes 2017 Supplement, section 46.131, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 2016, section 216C.435, subdivision 5.

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

**S.F. No. 3405:** A bill for an act relating to transportation; modifying certain hours of service requirements for agricultural transportation; amending Minnesota Statutes 2016, sections 221.031, subdivision 2d; 221.0314, subdivision 9.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2016, section 169.81, subdivision 5, is amended to read:

Subd. 5. **Manner of loading.** ~~No (a) A vehicle shall~~ must not be driven or moved on any highway unless ~~such~~ the vehicle is so constructed, loaded, or the load securely covered as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping ~~therefrom, except that.~~

(b) Notwithstanding paragraph (a), a vehicle or combination of vehicles may:

(1) drop sand ~~may be dropped for the purpose of securing~~ to secure traction, ~~or;~~

(2) sprinkle water or other substances ~~may be sprinkled on a roadway in cleaning or maintaining~~ such ~~to clean or maintain the~~ roadway; or

(3) leak water if transporting sugar beets.

(c) This subdivision ~~shall~~ does not apply to motor vehicles operated by a farmer or the farmer's agent when transporting produce such as small grains, shelled corn, soybeans, or other farm produce of a size and density not likely to cause injury to persons or damage to property on escaping in small amounts from a vehicle.

(d) A violation of this subdivision by a vehicle that is carrying farm produce and that is not exempted ~~by the preceding sentence~~ under paragraph (c) is a petty misdemeanor.

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

Renumber the sections in sequence

Amend the title accordingly

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. 3466:** A bill for an act relating to public safety; modifying motorcycle operating requirements for individuals possessing a two-wheeled vehicle instruction permit; amending Minnesota Statutes 2016, section 169.974, subdivision 2.

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. 3262:** A bill for an act relating to local government; authorizing designation of Purple Heart City or a Purple Heart County; proposing coding for new law in Minnesota Statutes, chapter 197.

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

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

**S.F. No. 2704:** A bill for an act relating to consumer protection; regulating transportation network companies; amending Minnesota Statutes 2016, sections 13.712, by adding a subdivision; 221.012, subdivision 38; proposing coding for new law in Minnesota Statutes, chapter 325F.

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 13.712, is amended by adding a subdivision to read:

Subd. 6. **Transportation network company.** Data obtained by the commissioner from a transportation network company is governed by section 221.845, subdivision 12.

Sec. 2. Minnesota Statutes 2016, section 169.64, subdivision 2, is amended to read:

Subd. 2. **Colored light.** (a) Unless otherwise authorized by the commissioner of public safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light or any colored light other than those required or permitted in this chapter or section 221.845.

(b) A vehicle manufactured for use as an emergency vehicle may display and use colored lights that are not otherwise required or permitted in this chapter, provided that the vehicle is owned and operated according to section 168.10, is owned and operated solely as a collector's item and not for general transportation purposes, and is registered under section 168.10, subdivision 1a, 1b, 1c, 1d, 1g, or 1h. A person may not activate the colored lights authorized under this paragraph on streets or highways except as part of a parade or other special event.

Sec. 3. Minnesota Statutes 2016, section 169.685, subdivision 6, is amended to read:

Subd. 6. **Exceptions.** (a) This section does not apply to:

(1) a person transporting a child in an emergency medical vehicle while in the performance of official duties and when the physical or medical needs of the child make the use of a child passenger restraint system unreasonable or when a child passenger restraint system is not available;

(2) a peace officer transporting a child while in the performance of official duties and when a child passenger restraint system is not available, provided that a seat belt must be substituted;

(3) a person while operating a motor vehicle for hire, including a taxi, airport limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; ~~and~~

(4) a person while operating a school bus that has a gross vehicle weight rating of greater than 10,000 pounds; and

(5) a TNC vehicle as defined in section 221.845, subdivision 1.

(b) A child passenger restraint system is not required for a child who cannot, in the judgment of a licensed physician, be safely transported in a child passenger restraint system because of a medical condition, body size, or physical disability. A motor vehicle operator claiming exemption for a child under this paragraph must possess a typewritten statement from the physician stating that the child cannot be safely transported in a child passenger restraint system. The statement must give the name and birth date of the child, be dated within the previous six months, and be made on the physician's letterhead or contain the physician's name, address, and telephone number. A person charged with violating subdivision 5 may not be convicted if the person produces the physician's statement in court or in the office of the arresting officer.

(c) A person offering a motor vehicle for rent or lease shall provide a child passenger restraint device to a customer renting or leasing the motor vehicle who requests the device. A reasonable rent or fee may be charged for use of the child passenger restraint device.

Sec. 4. Minnesota Statutes 2016, section 221.012, subdivision 25, is amended to read:

Subd. 25. **Motor carrier.** "Motor carrier" means a person engaged in the for-hire transportation of property or passengers. "Motor carrier" does not include a person providing transportation described in section 221.025, a building mover subject to section 221.81, ~~or~~ a person providing limousine service as defined in section 221.84, or a person performing or providing for transportation service under section 221.845.

Sec. 5. Minnesota Statutes 2016, section 221.012, subdivision 38, is amended to read:

Subd. 38. **Small vehicle passenger service.** (a) "Small vehicle passenger service" means a service provided by a person engaged in the for-hire transportation of passengers in a vehicle designed to transport seven or fewer persons, including the driver.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, "small vehicle passenger service" also includes for-hire transportation of persons who are certified by the Metropolitan Council to use special transportation service provided under section 473.386, in a vehicle designed to transport not more than 15 persons including the driver, that is equipped with a wheelchair lift and at least three wheelchair securement positions.

(c) Small vehicle passenger service does not include a motor carrier of railroad employees or service provided by a transportation network company, as defined in section 65B.472, subdivision 1.

Sec. 6. Minnesota Statutes 2016, section 221.031, subdivision 3b, is amended to read:

Subd. 3b. **Passenger transportation; exemptions.** (a) A person who transports passengers for hire in intrastate commerce, who is not made subject to the rules adopted in section 221.0314 by any other provision of this section, must comply with the rules for hours of service of drivers while transporting employees of an employer who is directly or indirectly paying the cost of the transportation.

(b) This subdivision does not apply to:

(1) a local transit commission;

(2) a transit authority created by law; or

(3) persons providing transportation:

(i) in a school bus as defined in section 169.011, subdivision 71;

(ii) in a Head Start bus as defined in section 169.011, subdivision 34;

(iii) in a commuter van;



(iv) in an authorized emergency vehicle as defined in section 169.011, subdivision 3;

(v) in special transportation service certified by the commissioner under section 174.30;

(vi) that is special transportation service as defined in section 174.29, subdivision 1, when provided by a volunteer driver operating a private passenger vehicle as defined in section 169.011, subdivision 52;

(vii) in a limousine the service of which is licensed by the commissioner under section 221.84;  
~~or~~

(viii) in a taxicab, if the fare for the transportation is determined by a meter inside the taxicab that measures the distance traveled and displays the fare accumulated; or

(ix) in a TNC vehicle as provided under section 221.845.

Sec. 7. Minnesota Statutes 2016, section 221.091, subdivision 1, is amended to read:

Subdivision 1. **Local authority over streets and highways.** (a) Sections 221.012 to 221.291 do not authorize the use by a carrier of a public highway in a city of the first class in violation of a charter provision or ordinance of the city in effect January 1, 1925, unless the charter provision or ordinance is repealed after that date. In addition, sections 221.012 to 221.291 do not (1) curtail the right of a city to reasonably regulate or control the routing, parking, speed, or safety of operation of a motor vehicle operated by a carrier under the terms of those sections, (2) curtail the general police power of the city over its highways, or (3) abrogate any provision of the city's charter requiring certain conditions to be complied with before a carrier can use the highways of the city; and these rights and powers are expressly reserved and granted to the city. ~~However, no~~

(b) ~~A~~ city ~~shall~~ must not prohibit or deny the use of the public highways within its territorial boundaries by a carrier for:

(1) transporting passengers or property received within its boundaries to destinations beyond the city's boundaries; ~~or for~~<sub>2</sub>

(2) transporting passengers or property from points beyond the city's boundaries to destinations within the city's boundaries;<sub>2</sub> ~~or for~~

(3) transporting passengers or property from points beyond the city's boundaries through the city to points beyond the city's boundaries<sub>2</sub> when the carrier is operating pursuant to a certificate of registration, permit, or license issued under this chapter ~~or a permit issued by the commissioner under section 221.84.~~

Sec. 8. **[221.845] TRANSPORTATION NETWORK COMPANIES.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Digital identification" means information stored on a transportation network company's digital network that:

- (1) is accessible by a driver;
- (2) serves as evidence of the identity of the driver;
- (3) serves as evidence of the insurance coverage required under section 65B.472;
- (4) displays a photo of the driver;
- (5) displays an image of the make and model of the transportation network company vehicle;  
and
- (6) identifies the make and model, as well as the license plate number, of the TNC vehicle.
- (c) "Digital network" has the meaning given in section 65B.472, subdivision 1.
- (d) "Prearranged ride" has the meaning given in section 65B.472, subdivision 1.
- (e) "Transportation network company" or "TNC" has the meaning given in section 65B.472, subdivision 1.
- (f) "Transportation network company driver" or "driver" has the meaning given in section 65B.472, subdivision 1. Transportation network company drivers are not common carriers.
- (g) "Transportation network company rider" or "rider" has the meaning given in section 65B.472, subdivision 1.
- (h) "Transportation network company vehicle" or "TNC vehicle" has the meaning given to "personal vehicle" in section 65B.472, subdivision 1.

**Subd. 2. Transportation network company account.** (a) A transportation network company account is established in the special revenue fund. The account consists of fees collected under subdivision 3 and funds donated, allotted, transferred, or otherwise provided to the account.

(b) Funds in the account are annually appropriated to the commissioner for administrative costs related to this section.

**Subd. 3. Transportation network company; license, general requirements.** (a) In order to operate in Minnesota, a transportation network company must obtain a license from the commissioner.

(b) The commissioner must issue a license to a transportation network company that submits an application in the form and manner provided by the commissioner, meets the requirements of this section, and pays an annual fee of \$5,000. The annual fee covers all of a transportation network company's drivers. The commissioner is prohibited from requiring a per-driver or per-vehicle fee.

(c) A license issued under this section is not assignable or transferable and is valid until it expires or is suspended, revoked, or canceled, whichever occurs first. A license is valid for one year from the date issued, and the expiration date is unchanged on a suspended license that is restored.

(d) A revoked license under subdivision 13 must not be reinstated. For a period of one year from the date of revocation, the commissioner must not issue a new license to a transportation network company for whom a license was revoked.

(e) A transportation network company must:

(1) be authorized or registered to do business in Minnesota; and

(2) maintain an agent for service of process in Minnesota.

(f) Notwithstanding paragraph (a), a transportation network company operating in the state prior to the effective date of this section may continue to operate in the state until the commissioner issues a written decision regarding the transportation network company's permit application. A transportation network company operating in any political subdivision in the state shall apply to the commissioner for a permit pursuant to this subdivision on or before the 30th day after the commissioner begins accepting permit applications.

Subd. 4. **Transportation network company; fare requirements.** (a) A transportation network company may charge a fare for a prearranged ride provided to a rider if the transportation network company discloses the fare or fare calculation method to the rider via the digital network. If the fare is not disclosed to the rider before the prearranged ride begins, the transportation network company must provide the rider with the option to receive an estimated fare before the rider enters a TNC vehicle.

(b) Any payment by a rider for a prearranged ride by a driver must be made electronically through the digital network.

(c) A transportation network company must provide the following to a rider before the rider enters a TNC vehicle:

(1) the driver's first name;

(2) the make, model, and license plate number of the TNC vehicle; and

(3) the method by which the transportation network company calculates the applicable rate or fare being charged.

(d) Within a reasonable time following the completion of a prearranged ride, the transportation network company must transmit a receipt to the rider through electronic mail, text message, or other electronic means. The receipt must include:

(1) the origin and destination of the trip;

(2) the total time and distance of the trip; and

(3) an itemization of the total fare paid, if any.

Subd. 5. **Driver qualifications.** (a) Before permitting any individual to act as a driver, a transportation network company must:

(1) confirm that the individual is at least 19 years of age, holds a valid driver's license, and possesses proof of registration and has a plan of reparation security under section 65B.48 for the TNC vehicle;

(2) conduct a local, state, and national background check of the individual, including a query of (i) the multistate/multijurisdiction criminal records locator or other similar commercial national database, (ii) the U.S. Department of Justice national sex offender public Web site, and (iii) the Web site maintained by the commissioner of corrections under section 244.052, subdivision 4b; and

(3) obtain and review a driving history report for the individual.

(b) A transportation network company must not permit an individual to act as a driver if the individual:

(1) has been convicted of more than three moving violations, as defined in section 171.04, subdivision 1, within the past three years;

(2) has been convicted of a violation under any of the following within the past three years:

(i) section 609.487, subdivision 3 or 4; or

(ii) section 171.24;

(3) has had a driver's license revoked pursuant to section 171.17, subdivision 1, or suspended pursuant to section 171.18, subdivision 1, within the past three years;

(4) has been convicted of any of the following within the past seven years:

(i) a felony;

(ii) a misdemeanor or gross misdemeanor violation of chapter 152;

(iii) any violation of section 169.09, subdivision 14; 169.13; 169.21, subdivision 2, paragraph (c); 169.444, subdivision 2, paragraph (b); 169A.20, subdivision 1 or 2; or 169A.31; or

(iv) a misdemeanor or gross misdemeanor violation of section 518B.01, subdivision 14; 609.2113; 609.2231; 609.224; 609.2242; 609.231; 609.2325; 609.233; 609.255; 609.324; 609.3243; 609.3451; 609.377; 609.378; 609.50; 609.52; 609.5631; 609.5632; 609.582; 609.591; 609.593; 609.594; 609.595; 609.596; 609.597; 609.66; 609.661; 609.665; 609.71; 609.713; 609.746; 609.748; 609.749; 609.7495; 609.78; 609.79, subdivision 1, clause (1), item (i); or 629.75, subdivision 2; or

(5) is listed on the U.S. Department of Justice national sex offender public Web site, or the Web site maintained by the commissioner of corrections under section 244.052, subdivision 4b.

**Subd. 6. Driver operating requirements.** (a) A driver is prohibited from:

(1) providing prearranged rides for a transportation network company unless the transportation network company has a license under subdivision 3;

(2) providing prearranged rides unless the rider has been matched to the driver through the digital network;

(3) soliciting a ride or accepting a street hail request for a ride; or

(4) soliciting or accepting cash payments for a fare from a rider.

(b) A driver must display a consistent and distinctive sign or emblem on the TNC vehicle at all times while the driver is active on the digital network.

(c) A driver may refuse to transport a rider if the rider acts in an unlawful, disorderly, or endangering manner.

(d) Upon request of a peace officer, a driver must display digital identification and electronic evidence that the rider was matched through the digital network. If the information described in this paragraph is contained on an electronic device, the driver is not required to relinquish possession of the electronic device.

Subd. 7. **TNC vehicle requirements; inspection.** (a) Before permitting a TNC vehicle to be used to provide prearranged rides, a transportation network company must conduct or confirm that the TNC vehicle has undergone and passed a safety inspection.

(b) At a minimum, the safety inspection must evaluate the following components of the vehicle:

(1) brake system;

(2) parking brakes;

(3) steering mechanism;

(4) windshield;

(5) rear window and other glass;

(6) windshield wipers;

(7) headlights;

(8) taillights;

(9) brake lights;

(10) turn signal lights;

(11) doors;

(12) front seat adjustment mechanism;

(13) horn;

(14) speedometer;

(15) bumpers;

(16) muffler and exhaust system;

(17) tires, including tread depth;

(18) interior and exterior mirrors; and

(19) safety belts.

Subd. 8. **TNC vehicle requirements; vehicles and equipment.** (a) A TNC vehicle must:

(1) have four doors;

(2) be registered under chapter 168 as a passenger automobile or noncommercial vehicle, as defined in section 168.002; and

(3) be designed to transport not more than eight passengers, including the driver.

(b) A TNC vehicle sign or emblem displayed by a driver under subdivision 6 must:

(1) be approved by the commissioner of transportation, in consultation with the commissioner of public safety;

(2) be sufficiently large and color-contrasted to be readable during daylight hours from a distance of at least 50 feet;

(3) be reflective, illuminated, or otherwise visible in dark conditions; and

(4) sufficiently identify a TNC vehicle as being associated with the transportation network company.

(c) A TNC vehicle may be equipped with no more than two removable, interior-mounted, trade dress identifying devices as provided by the transportation network company that are designed to assist riders in identifying and communicating with drivers. The identifying device may be illuminated and emit a steady beam of solid colored light in any direction when the driver is logged in to the digital network. The identifying device may change the color of light being emitted once the driver accepts a request to transport a rider and is within 0.4 miles of the rider.

(d) The identifying device under paragraph (c) must not:

(1) emit a light exceeding five candlepower;

(2) contain an illuminated area that exceeds 20 square inches;

(3) display the colors red, amber, or blue; and

(4) project a flashing, oscillating, alternating, or rotating light, or a glaring or dazzling light.

Subd. 9. **Zero-tolerance intoxicating substance policy.** (a) A transportation network company must implement a zero-tolerance intoxicating substance policy for drivers that prohibits any amount

of driver intoxication while providing a prearranged ride. The transportation network company must include on its Web site a notice concerning the transportation network company's intoxicating substance policy and include a means for a rider or another individual to submit a complaint regarding a suspected violation of the policy.

(b) Upon receipt of a rider complaint alleging a violation of the intoxicating substance policy, the transportation network company must immediately suspend the driver's access to the digital network and conduct an investigation into the reported incident. At a minimum, the suspension must last for the duration of the investigation.

Subd. 10. **Nondiscrimination and accessibility.** (a) A transportation network company must implement a policy that prohibits discrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to all potential riders. The policy must also prohibit drivers from refusing to provide service to an individual with a service animal.

(b) A transportation network company must notify all drivers of the nondiscrimination policy. All drivers must comply with the nondiscrimination policy.

(c) A transportation network company is prohibited from imposing any additional charge on a rider with a physical disability because of the disability.

(d) A transportation network company must provide a rider an opportunity to indicate whether the rider requires a wheelchair-accessible vehicle. If a wheelchair-accessible vehicle cannot be provided, the transportation network company must direct the requesting rider to an alternate provider of wheelchair-accessible service, if one is available.

Subd. 11. **Records; retention; inspections.** (a) A transportation network company must maintain records that document compliance with the requirements of this section for two years from the date of documentation.

(b) For the sole purpose of verifying that a transportation network company is in compliance with the requirements of this section, the commissioner may visually inspect a random sample of records that the transportation network company is required to maintain under this subdivision, pertaining to up to 100 transportation network company drivers. Such random samples shall be chosen from an anonymized list of drivers provided by the transportation network company. Any data furnished to the commissioner may exclude information identifying specific TNC drivers or passengers, unless the commissioner demonstrates that there is good cause to inspect the identifying information. Except for an inspection under paragraph (c), the commissioner must not perform more than one inspection of a transportation network company each year.

(c) In response to a specific complaint made to the commissioner against a driver or a transportation network company, the commissioner may inspect records maintained by the transportation network company under this subdivision that are necessary to investigate and resolve the complaint. Any data furnished to the commission may exclude information that would identify specific drivers or passengers, unless the identity of a driver or rider is relevant to the complaint.

(d) An inspection under this subdivision must take place at a mutually agreed upon location in a city of the first class that is located within the metropolitan area, as defined in section 473.121, subdivision 2, or through a mutually agreed upon secure electronic process.

Subd. 12. **Data practices; liability.** (a) Data disclosed to the commissioner by a transportation network company, including the names, addresses, and any other personally identifiable information of drivers or riders, is nonpublic data or private data on individuals, as defined in section 13.02, subdivisions 9 and 12.

(b) If data provided to the commissioner pursuant to this section is sought through a court order or subpoena, the commissioner must promptly notify the transportation network company. If there is a breach of the security of the data as provided under section 13.055, the commissioner must notify the transportation network company in the same manner as provided for individuals under that section.

(c) A transportation network company shall disclose a rider's personal identifying information to a person other than the rider only if:

(1) the rider consents;

(2) disclosure is required by a legal obligation, including as part of an investigation under subdivision 11;

(3) disclosure is required to protect or defend the terms of use of the transportation network company service or to investigate violation of the terms; or

(4) disclosure is as provided in paragraph (d).

(d) A transportation network company may share a rider's name with the driver transporting the rider in order to facilitate identification of the rider, or to facilitate communication between the rider and the driver.

(e) A transportation network company is not civilly or criminally liable for a violation of chapter 13 by the commissioner.

Subd. 13. **Violations; enforcement.** (a) The commissioner may issue an order that requires violations of this section by a transportation network company to be corrected, assesses a penalty of up to \$500 for each violation that the transportation network company knew or should have known about, or both. The commissioner may suspend, revoke, or deny renewal of a license for a violation of this section.

(b) The commissioner must immediately suspend a license if the commissioner determines that the transportation network company failed to maintain required insurance and must not restore the suspended license until proof of insurance is provided.

(c) The commissioner must revoke a license if the commissioner determines that the transportation network company:

(1) knowingly made a material false or misleading statement in a license application; or



(2) operated as a transportation network company under this section while the license was suspended.

(d) The commissioner may issue an order that requires violations of this section by a driver to be corrected, assesses a penalty of up to \$100 for each violation that the driver knew or should have known about, or both. The commissioner may issue an order requiring a transportation network company to suspend a driver for a violation of this section.

(e) For an order or administrative penalty under this subdivision, the commissioner must follow the procedures in section 221.036, subdivisions 4 to 10. A transportation network company or a driver may request an administrative hearing or petition a court under the procedures in section 221.036, subdivisions 7 to 10.

(f) A person who violates this section is guilty of a petty misdemeanor.

Subd. 14. **Uniform statewide regulation.** (a) This section applies uniformly throughout the state and in all political subdivisions.

(b) This section supersedes any ordinance or other regulation adopted by a political subdivision that specifically governs transportation network companies, drivers, or TNC vehicles, including those adopted before the effective date of this section.

(c) A political subdivision is prohibited from:

(1) imposing any fee on a transportation network company, driver, or TNC vehicle if the fee relates to (i) providing prearranged rides, (ii) entry into the jurisdiction of the political subdivision, or (iii) operations of the transportation network company; or

(2) requiring a transportation network company or driver to obtain a business license or other similar authorization to operate within the political subdivision's jurisdiction.

(d) An airport is prohibited from imposing any regulatory or licensing requirement that supplements or is inconsistent with the requirements in this section, except that an airport may:

(1) charge reasonable fees for use of the airport or its facilities;

(2) require a transportation network company to enter into an agreement with or otherwise obtain authorization from an airport prior to allowing TNC drivers to pick up passengers at the airport; and

(3) adopt reasonable regulations governing the operation of TNC vehicles at the airport, including procedures governing staging, dropping off or picking up passengers at the airport, or use of airport facilities.

Sec. 9. **EFFECTIVE DATE.**

This article is effective January 1, 2019, and applies to transportation network companies in operation on or after that date."

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

**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.

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 13D.02, subdivision 1, is amended to read:

Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive television so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;

(3) at least one member of the body is physically present at the regular meeting location; and

(4) each location at which a member of the body is present is open and accessible to the public.

(b) Paragraph (a), clause (4), does not apply to a member of the public body participating from a location other than the regular meeting location if (1) the member is serving in the military and is at a required drill, deployed, or on active duty, or (2) the member has been advised by a health care professional against being in a public place for medical reasons.

Sec. 2. Minnesota Statutes 2016, section 13D.02, subdivision 2, is amended to read:

Subd. 2. **Members are present for quorum, participation.** Each member of a body participating in a meeting by ~~electronic means~~ interactive television is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Sec. 3. Minnesota Statutes 2016, section 13D.02, is amended by adding a subdivision to read:

Subd. 6. **Record.** The minutes for a meeting conducted under this section must reflect the names of any members appearing by interactive television and state the reason or reasons for the appearance by interactive television."

Amend the title numbers accordingly

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

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

**S.F. No. 3411:** A bill for an act relating to local government; discontinuing Ramsey Soil and Water Conservation District; transferring duties; proposing coding for new law in Minnesota Statutes, chapter 383A.

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

**S.F. No. 3418:** A bill for an act relating to transportation finance; modifying and establishing various transportation finance, budgeting, appropriations, accounting, fiscal planning, and reporting provisions related to the Metropolitan Council; amending Minnesota Statutes 2016, sections 16A.88, subdivision 2; 473.13, subdivisions 1, 4, by adding subdivisions; 473.146, subdivisions 1, 3; 473.375, by adding a subdivision; 473.4051, subdivision 3; Minnesota Statutes 2017 Supplement, section 3.972, subdivision 4.

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 3.972, subdivision 4, is amended to read:

Subd. 4. **Certain transit financial activity reporting.** (a) The legislative auditor must perform a transit financial activity review of financial information for the Metropolitan Council's Transportation Division ~~and the joint powers board under section 297A.992. Within 14 days of the end of each fiscal quarter, two times each year. The first report, due April 1, must include the quarters ending on September 30 and December 31 of the previous calendar year. The second report, due October 1, must include the quarters ending on March 31 and June 30 of the current year. The legislative auditor must submit the review to the Legislative Audit Commission and the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance, finance, and ways and means.~~

(b) At a minimum, each transit financial activity review must include:

(1) a summary of monthly financial statements, including balance sheets and operating statements, that shows income, expenditures, and fund balance;

(2) a list of any obligations and agreements entered into related to transit purposes, whether for capital or operating, including but not limited to bonds, notes, grants, and future funding commitments;

(3) the amount of funds in clause (2) that has been committed;

(4) independent analysis by the fiscal oversight officer of the fiscal viability of revenues and fund balance compared to expenditures, taking into account:

(i) all expenditure commitments;

- (ii) cash flow;
- (iii) sufficiency of estimated funds; and
- (iv) financial solvency of anticipated transit projects; and
- (5) a notification concerning whether the requirements under paragraph (c) have been met.

(c) The Metropolitan Council ~~and the joint powers board under section 297A.992~~ must produce monthly financial statements as necessary for the review under paragraph (b), clause (1), and provide timely information as requested by the legislative auditor.

(d) This subdivision expires on April 15, 2023.

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

Page 8, delete sections 9 and 10

Amend the title numbers accordingly

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

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

**S.F. No. 2978:** A bill for an act relating to state government; specifying requirements for state auditor's review of certain audits conducted by CPA firms; amending Minnesota Statutes 2017 Supplement, section 6.481, subdivision 3.

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

Page 1, line 21, after "type" insert "or scope"

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

**Senator Hall from the Committee on Local Government, to which was re-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 be amended as follows:

Page 3, delete section 3

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 3540:** A bill for an act relating to public employment; specifying conditions of legislative ratification of proposed collective bargaining agreements; amending Minnesota Statutes 2016, section 3.855, subdivision 1a.

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

Page 1, delete lines 12 to 15 and insert:

"(b) "Ratification" must be by law. If a law makes ratification contingent upon the fulfillment of an express condition, or has an effective date contingent upon the fulfillment of an express condition, then ratification occurs on the date that the express condition has been fulfilled or on the effective date, whichever is later. An express condition may include the enactment of a law. The commissioner of management and budget shall determine whether an express condition has been fulfilled."

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

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

**S.F. No. 3417:** A bill for an act relating to health; establishing the Minnesota Health Policy Commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Delete everything after the enacting clause and insert:

"Section 1. [62J.90] MINNESOTA HEALTH POLICY COMMISSION.

Subdivision 1. **Definition.** For purposes of this section, "commission" means the Minnesota Health Policy Commission.

Subd. 2. **Commission membership.** (a) The commission shall consist of 11 voting members, appointed by the Legislative Coordinating Commission as provided in subdivision 9, as follows:

(1) one member with demonstrated expertise in health care finance;

(2) one member with demonstrated expertise in health economics;

(3) one member with demonstrated expertise in actuarial science;

(4) one member with demonstrated expertise in health plan management and finance;

(5) one member with demonstrated expertise in health care system management;

(6) one member with demonstrated expertise as a purchaser, or a representative of a purchaser, of employer-sponsored health care services or employer-sponsored health insurance;

(7) one member with demonstrated expertise in the development and utilization of innovative medical technologies;

(8) one member with demonstrated expertise as a health care consumer advocate;

(9) one member who is a primary care physician;

(10) one member who provides long-term care services through medical assistance; and

(11) one member with direct experience as an enrollee, or parent or caregiver of an enrollee, in MinnesotaCare or medical assistance.

(b) The commission shall have four nonvoting ex-officio legislative liaison members as follows:

(1) two members of the senate, including one member appointed by the majority leader and one member from the minority party appointed by the minority leader; and

(2) two members of the house of representatives, including one member appointed by the speaker of the house of representatives and one member from the minority party appointed by the minority leader.

Subd. 3. **Duties.** The commission shall:

(1) compare Minnesota's commercial health care costs and public health care program spending to that of the other states;

(2) compare Minnesota's commercial health care costs and public health care program spending in any given year to its costs and spending in previous years;

(3) identify factors that influence and contribute to Minnesota's ranking for commercial health care costs and public health care program spending, including the year over year and trend line change in total costs and spending in the state;

(4) continually monitor efforts to reform the health care delivery and payment system in Minnesota to understand emerging trends in the commercial health insurance market, including large self-insured employers, and the state's public health care programs in order to identify opportunities for state action to achieve:

(i) improved patient experience of care, including quality and satisfaction;

(ii) improved health of all populations; and

(iii) reduced per capita cost of health care; and

(5) make recommendations for legislative policy, market, or any other reforms to:

(i) lower the rate of growth in commercial health care costs and public health care program spending in the state;

(ii) positively impact the state's ranking in the areas listed in this subdivision;

(iii) improve the quality and value of care for all Minnesotans; and

(iv) conduct any additional reviews requested by the legislature.

Subd. 4. **Report.** The commission shall submit a report listing recommendations for changes in health care policy and financing by June 15 each year to the chairs and ranking minority members of the legislative committees with primary jurisdiction over health care. In making recommendations to the legislative committees, the commission shall consider how the recommendations might positively impact the cost-shifting interplay between public payer reimbursement rates and health insurance premiums. The commission shall also consider how public health care programs, where appropriate, may be utilized as a means to help prepare enrollees for an eventual transition to private sector coverage. The report shall include any draft legislation to implement the commission's recommendations.

Subd. 5. **Staff.** The commission shall hire a director who may employ or contract for professional and technical assistance as the commission determines necessary to perform its duties. The commission may also contract with private entities with expertise in health economics, health finance, and actuarial science to secure additional information, data, research, or modeling that may be necessary for the commission to carry out its duties.

Subd. 6. **Access to information.** The commission may secure directly from a state department or agency information and data that is necessary for the commission to carry out its duties. All private data on individuals, health insurance companies, and employer-sponsored health insurance plans collected by the commission may not be disclosed to any person or agency unless it is de-identified. For purposes of this section, "de-identified" means the process used to prevent the identity of a person or business from being connected with information and ensuring all identifiable information has been removed.

Subd. 7. **Terms; vacancies; compensation.** (a) Public members of the commission shall serve four-year terms. The public members may not serve for more than two consecutive terms.

(b) The legislative liaison members shall serve on the commission as long as the member or the appointing authority holds office.

(c) The removal of members and filling of vacancies on the commission are as provided in section 15.059.

(d) Public members may receive compensation and expenses as provided in section 15.059, subdivision 3.

Subd. 8. **Chairs; officers.** The commission shall elect a chair annually. The commission may elect other officers necessary for the performance of its duties.

Subd. 9. **Selection of members; advisory council.** The Legislative Coordinating Commission shall take applications from members of the public who are qualified and interested to serve in one of the listed positions. The applications must be reviewed by a health policy commission advisory council comprised of four members as follows: the state economist, legislative auditor, state demographer, and the president of the Federal Reserve Bank of Minneapolis or a designee of the president. The advisory council shall recommend two applicants for each of the specified positions by September 30 in the calendar year preceding the end of the members' terms. The Legislative Coordinating Commission shall appoint one of the two recommended applicants to the commission.

Subd. 10. **Meetings.** The commission shall meet at least four times each year. Commission meetings are subject to chapter 13D except when the meetings pertain to matters relating to data that must be de-identified.

Subd. 11. **Conflict of interest.** A member of the commission may not participate in or vote on a decision of the commission relating to an organization in which the member has either a direct or indirect financial interest.

Subd. 12. **Expiration.** The commission shall expire on June 15, 2034.

**Sec. 2. FIRST APPOINTMENTS; FIRST MEETING.**

The Health Policy Commission Advisory Council shall make its recommendations under Minnesota Statutes, section 62J.90, subdivision 9, for candidates to serve on the Minnesota Health Policy Commission, to the Legislative Coordinating Commission by September 30, 2018. The Legislative Coordinating Commission shall make the first appointments of public members to the Minnesota Health Policy Commission, under Minnesota Statutes, section 62J.90, by January 15, 2019. The Legislative Coordinating Commission shall designate five members to serve terms that are coterminous with the governor and six members to serve terms that end on the first Monday in January one year after the terms of the other members conclude. The director of the Legislative Coordinating Commission shall convene the first meeting of the Minnesota Health Policy Commission by June 15, 2019, and shall act as the chair until the commission elects a chair at its first meeting.

**Sec. 3. APPROPRIATION.**

\$..... in fiscal year 2019 is appropriated from the general fund to the Minnesota Health Policy Commission for the purposes of section 1."

Amend the title numbers accordingly

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

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

**S.F. No. 3154:** A bill for an act relating to state government; ratifying certain labor agreements and compensation plans.



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

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

**S.F. No. 2983:** A bill for an act relating to environment; establishing findings and authorizing listing of wild-rice waters; nullifying and restricting the application of certain water quality standards; requiring a report; appropriating money; amending Laws 2015, First Special Session chapter 4, article 4, section 136, as amended.

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

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

**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.

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

Page 2, line 4, after "commissioner" insert "and at least 45 days before submitting a collective bargaining agreement or compensation plan that incorporates the proposed changes to the insurance program"

Page 2, line 5, after the first "to" insert "the" and after "insurance" insert "program"

Page 2, line 8, after "commission" insert "unless the agreement or plan incorporates changes identified by the commission or otherwise addresses the commission's objections to the changes to the insurance program. The requirements in this paragraph do not apply to the premiums for insurance that are determined solely by the commissioner of management and budget and are not negotiated with representatives of employees"

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. 2662:** A bill for an act relating to health; making changes to birth defect information system; amending Minnesota Statutes 2016, sections 144.2215, subdivision 1; 144.2216, subdivision 4.

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

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

**S.F. No. 2585:** A bill for an act relating to health; adding security screening systems to ionizing radiation-producing equipment; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2016, section 144.121, subdivision 1a, by adding a subdivision.

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

Page 2, delete section 4 and insert:

"Sec. 4. APPROPRIATION.

\$..... in fiscal year 2019 is appropriated from the state government special revenue fund to the commissioner of health for rulemaking under Minnesota Statutes, section 144.121. The base for this appropriation is \$..... in fiscal year 2020 and \$0 in fiscal year 2021."

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

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

**S.F. No. 3216:** A bill for an act relating to corrections; clarifying amount charged to counties for cost of confining juveniles in correctional facilities; amending Minnesota Statutes 2016, section 242.192; repealing Minnesota Statutes 2016, section 401.13.

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

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

**S.F. No. 1517:** A bill for an act relating to health; modifying record and data provisions for quality of care complaints; amending Minnesota Statutes 2016, section 62D.115, 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 62D.115, subdivision 4, is amended to read:

Subd. 4. **Records.** (a) Each health maintenance organization shall maintain records of all quality of care complaints and their resolution and retain those records for five years. Notwithstanding section 145.64, upon written request of the enrollee or individual who made the complaint, the commissioner shall require the health maintenance organization to provide a record of the resolution of the complaint to the commissioner. The record must be provided within 45 days of receipt of the request from the enrollee or individual making the complaint. For purposes of this subdivision, the record provided to the commissioner is limited to information on the resolution of the complaint, the conclusion of the investigation, and any corrective action plan.

(b) Information provided to the commissioner according to this subdivision is classified as confidential data on individuals or protected nonpublic data as defined in section 13.02, subdivision 3 or 13, provided that information that does not identify individuals, including individuals participating in or the subject of peer review, is accessible to the enrollee or individual who made the complaint. To the extent records provided to the commissioner or an enrollee or complainant under this subdivision are subject to peer protection confidentiality under state or federal law, those records are not subject to discovery or subpoena and may not be included or referenced in a court file, introduced into evidence, or used to obtain an affidavit of expert review under section 145.682. This subdivision does not prohibit the use in a civil action of information, documents, or records subject to discovery or otherwise available from original sources."

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 re-referred**

**S.F. No. 3290:** A bill for an act relating to energy; establishing a process to compensate businesses for loss of business opportunity resulting from sale and closure of a biomass energy plant; proposing coding for new law in Minnesota Statutes, chapter 116C.

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

Page 2, after line 16, insert:

"(e) Section 13.591 applies to data submitted by a business requesting compensation under this section."

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

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

**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.

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

Page 1, line 10, reinstate the stricken language

Page 1, line 11, reinstate the stricken language and before the period, insert ", or six percent, whichever is greater"

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

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

**S.F. No. 3438:** A bill for an act relating to health; making changes to statutory provisions affecting older and vulnerable adults; modifying 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; requiring reports; providing for access to information and data sharing; imposing civil and criminal penalties; amending Minnesota Statutes 2016, sections 144.651, subdivisions 2, 14, 16, 20, by adding subdivisions; 144A.44; 325F.71; 609.2231, subdivision 8; 626.557, subdivisions 3, 4, 9, 9a, 9b, 9c, 9d, 9e, 10b, 12b, 14, 17; 626.5572, subdivision 6, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 256.045, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2016, sections 144G.03, subdivision 6; 256.021.

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

Page 1, delete lines 20 to 23 and insert:

"(c) "Electronic monitoring device" means a camera, including one that captures, records, or broadcasts audio, video, or both, or other technological device used to monitor or communicate with a resident or others that is installed in a resident's room or private living space."

Page 1, line 26, delete "that is also subject to chapter 144G"

Page 2, line 1, delete "legal"

Page 2, after line 9, insert:

"(c) Nothing in this section precludes the use of electronic monitoring of health care allowed under other law."

Page 3, line 13, delete "or disable"

Page 3, after line 14, insert:

"(f) Copies of all completed notification and consent forms must be submitted to the facility, and the facility must keep the notification and consent forms on file in a location separate from the resident's clinical record."

Page 3, line 17, delete "in the resident's clinical record" and insert "on the facility's copy of the initial notification and consent form submitted to it according to subdivision 5"

Page 3, lines 20, 24, 27, 31, and 32, delete "nursing home or boarding care home" and insert "facility"

Page 3, lines 29 and 33, delete "nursing home or boarding care" and insert "facility"

Page 3, lines 30 and 34, delete "home"

Page 4, line 1, delete "to the facility"

Page 4, line 4, before the period, insert "and the ombudsperson for long-term care"

Page 5, line 4, delete "and"

Page 5, line 6, delete the period and insert a semicolon

Page 5, after line 6, insert:

"(8) a signature box for documenting that the resident or roommate has withdrawn consent; and  
(9) a statement of the circumstances under which a recording may be disseminated under subdivision 9."

Page 5, line 7, delete "placed in the resident's"

Page 5, line 8, delete everything before "provided"

Page 5, line 9, after the period, insert "The facility must retain the form as described in subdivision 3, paragraph (f)."

Page 6, line 13, after the period, insert "If a resident consents to access to a recording by the facility, the resident is deemed to have consented to access to an employee under paragraph (c)."

Page 6, after line 16, insert:

"(c) An employee of a facility who is the subject of proposed corrective or disciplinary action based upon evidence obtained by electronic monitoring must be given access to that evidence for purposes of defending against the proposed action. The recording or a copy of the recording must be treated confidentially by the employee and must not be further disseminated to any other person except as required under other law. Any copy of the recording must be returned to the facility or resident who provided the copy when it is no longer needed for purposes of defending against a proposed action."

Page 6, line 25, delete "intentionally"

Page 7, delete lines 18 to 22

Page 7, line 23, delete "(4)" and insert "(2)"

Page 7, line 24, delete "(5)" and insert "(3)"

Page 7, line 26, delete "(6)" and insert "(4)"

Page 8, delete lines 10 to 14

Page 8, line 15, delete "(8)" and insert "(6)"

Page 8, line 16, delete "(9)" and insert "(7)"

Page 8, line 18, delete "(10)" and insert "(8)"

Page 8, delete lines 23 and 24

Page 9, line 1, before "lead" insert "facility and"

Page 10, line 22, delete everything before the semicolon

Page 10, line 30, delete "as provided in paragraph (a),"

Page 10, delete lines 32 and 33 and insert:

"(c) For purposes of this section, "adverse action" means any action taken by a facility or person against the patient, resident, employee, or interested person that includes but is not limited to:

(1) discharge or transfer from the facility;

(2) discharge from or termination of employment;

(3) demotion or reduction in remuneration for services;

(4) restriction or prohibition of access either to the facility or to the patient or resident;

(5) any restriction of any of the rights set forth in state or federal law;

(6) any restriction of access to or use of amenities or services;

(7) termination of a services or lease agreement, or both;

(8) a sudden increase in costs for services not already contemplated at the time of the action taken;

(9) removal, tampering with, or deprivation of technology, communication, or electronic monitoring devices of the patient or resident;

(10) reporting maltreatment in bad faith; or

(11) making any oral or written communication of false information about a person advocating on behalf of the patient or resident."

Page 12, line 23, after "any" insert "changes to the service plan" and strike "changes" and strike "in the"

Page 12, line 24, strike the first "service plan"

Page 14, line 32, delete "home care"

Page 15, lines 1 and 2, strike "home care"

Page 15, line 2, after "144A.482" insert "or registered under chapter 144D"

Page 15, line 7, after "licensure" insert "and against housing with service establishments" and delete "licensees" and insert "licensed home care providers"

Page 15, delete subdivision 4 and insert:

"Subd. 4. **Retaliation prohibited.** Providers are subject to the same prohibitions against retaliation as are health care facilities under section 144.651, subdivision 34."

Page 15, before line 23, insert:

"Sec. 10. Minnesota Statutes 2016, section 144A.479, subdivision 2, is amended to read:

Subd. 2. ~~Advertising~~ **Deceptive marketing and business practices.** Home care providers shall not use false, fraudulent, or misleading advertising in the marketing of services. For purposes of this section, advertising includes any verbal, written, or electronic means of communicating to potential clients about the availability, nature, or terms of home care services are subject to the same prohibitions against deceptive practices as are health care facilities under section 144.6511.

Sec. 11. [144D.041] **DECEPTIVE MARKETING AND BUSINESS PRACTICES.**

Housing with services establishments are subject to the same prohibitions against deceptive practices as are health care facilities under section 144.6511."

Page 16, line 9, before the semicolon, insert ". An interested person who requests a hearing must indicate in writing that the vulnerable adult does not object to the request, if competent to do so, and that the person is filing the request in the person's capacity as an interested person under section 626.5572, subdivision 12a"

Page 18, delete section 11 and insert:

"Sec. 13. Minnesota Statutes 2017 Supplement, section 256.045, subdivision 4, is amended to read:

Subd. 4. **Conduct of hearings.** (a) All hearings held pursuant to subdivision 3, 3a, 3b, or 4a shall be conducted according to the provisions of the federal Social Security Act and the regulations implemented in accordance with that act to enable this state to qualify for federal grants-in-aid, and according to the rules and written policies of the commissioner of human services. County agencies shall install equipment necessary to conduct telephone hearings. A state human services judge may schedule a telephone conference hearing when the distance or time required to travel to the county agency offices will cause a delay in the issuance of an order, or to promote efficiency, or at the mutual request of the parties. Hearings may be conducted by telephone conferences unless the applicant, recipient, former recipient, person, or facility contesting maltreatment objects. A human services judge may grant a request for a hearing in person by holding the hearing by interactive video technology or in person. The human services judge must hear the case in person if the person asserts that either the person or a witness has a physical or mental disability that would impair the person's or witness's ability to fully participate in a hearing held by interactive video technology. The hearing shall not be held earlier than five days after filing of the required notice with the county or state agency. The state human services judge shall notify all interested persons of the time, date, and location of the hearing at least five days before the date of the hearing. Interested persons may

be represented by legal counsel or other representative of their choice, including a provider of therapy services, at the hearing and may appear personally, testify and offer evidence, and examine and cross-examine witnesses. The applicant, recipient, former recipient, person, or facility contesting maltreatment shall have the opportunity to examine the contents of the case file and all documents and records to be used by the county or state agency at the hearing at a reasonable time before the date of the hearing and during the hearing. In hearings under subdivision 3, paragraph (a), clauses (4), (9), and (10), either party may subpoena the private data relating to the investigation prepared by the agency under section 626.556 or 626.557 that is not otherwise accessible under section 13.04, provided the identity of the reporter may not be disclosed.

(b) The private data obtained by subpoena in a hearing under subdivision 3, paragraph (a), clause (4), (9), or (10), must be subject to a protective order which prohibits its disclosure for any other purpose outside the hearing provided for in this section without prior order of the district court. Disclosure without court order is punishable by a sentence of not more than 90 days imprisonment or a fine of not more than \$1,000, or both. These restrictions on the use of private data do not prohibit access to the data under section 13.03, subdivision 6. Except for appeals under subdivision 3, paragraph (a), clauses (4), (5), (9), and (10), upon request, the county agency shall provide reimbursement for transportation, child care, photocopying, medical assessment, witness fee, and other necessary and reasonable costs incurred by the applicant, recipient, or former recipient in connection with the appeal. All evidence, except that privileged by law, commonly accepted by reasonable people in the conduct of their affairs as having probative value with respect to the issues shall be submitted at the hearing and such hearing shall not be "a contested case" within the meaning of section 14.02, subdivision 3. The agency must present its evidence prior to or at the hearing, and may not submit evidence after the hearing except by agreement of the parties at the hearing, provided the petitioner has the opportunity to respond.

(c) In hearings under subdivision 3, paragraph (a), clauses (4), (9), and (10), involving determinations of maltreatment or disqualification made by more than one county agency, by a county agency and a state agency, or by more than one state agency, the hearings may be consolidated into a single fair hearing upon the consent of all parties and the state human services judge.

(d) For hearings under subdivision 3, paragraph (a), clause (4), item (i), or (10), involving a vulnerable adult, the human services judge shall notify the vulnerable adult who is the subject of the maltreatment determination and an interested person, as defined in section 626.5572, subdivision 12a, if known, ~~a guardian of the vulnerable adult appointed under section 524.5-310, or a health care agent designated by the vulnerable adult in a health care directive that is currently effective under section 145C.06 and whose authority to make health care decisions is not suspended under section 524.5-310, of the hearing.~~ If the human services judge is not reasonably able to determine the address of the vulnerable adult or an interested person, the human services judge is not required to send a hearing notice under this paragraph. The notice must be sent by certified mail and inform the vulnerable adult of the right to file a signed written statement in the proceedings. ~~A guardian or health care agent~~ An interested person who prepares or files a written statement for the vulnerable adult must indicate in the statement that the person is ~~the vulnerable adult's guardian or health care agent~~ an interested person and sign the statement in that capacity. The vulnerable adult, ~~the guardian, or the health care agent~~ or interested person may file a written statement with the human services judge hearing the case no later than five business days before commencement of the hearing. The human services judge shall include the written statement in the hearing record and consider the statement in deciding the appeal. This ~~subdivision~~ paragraph does not limit, prevent, or excuse the



vulnerable adult from being called as a witness testifying at ~~the~~ a hearing under subdivision 3, paragraph (a), clause (4), item (i), or grant the vulnerable adult, the guardian, or health care agent or interested person a right to participate in the proceedings or appeal the human services judge's decision in the case.

(e) The lead investigative agency must consider including the vulnerable adult victim of maltreatment as a witness in ~~the~~ a hearing under subdivision 3, paragraph (a), clause (4). If the lead investigative agency determines that participation in the hearing would endanger the well-being of the vulnerable adult or not be in the best interests of the vulnerable adult, the lead investigative agency shall inform the human services judge of the basis for this determination, which must be included in the final order. ~~If the human services judge is not reasonably able to determine the address of the vulnerable adult, the guardian, or the health care agent, the human services judge is not required to send a hearing notice under this subdivision."~~

Page 22, after line 28, insert:

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

Page 29, line 3, delete "facility" and insert "lead investigative agency"

Page 43, line 8, before the semicolon, insert ", provided that the authority of the proxy or health care agent is currently effective under section 145C.06 or similar law"

Page 43, line 27, delete "and"

Page 43, line 28, delete the period and insert "; and"

Page 43, after line 28, insert:

"(14) one representative from a union that represents persons working in long-term care settings."

Page 44, delete line 23

Page 44, delete section 29 and insert:

"Sec. 31. **DIRECTION TO THE COMMISSIONER.**

The commissioner of health must post every substantiated report of maltreatment of a vulnerable adult at the Web site of the Office of Health Facility Complaints.

Sec. 32. **REPEALER.**

Minnesota Statutes 2016, section 256.021, is repealed."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 2605:** A bill for an act relating to education; elections; requiring certain information to be available in the polling place for school district bond referendums; amending the ballot language required for school district bond referendums; amending Minnesota Statutes 2016, sections 126C.55, by adding a subdivision; 205A.07, subdivision 2; 475.58, subdivision 4; Minnesota Statutes 2017 Supplement, section 475.59, subdivision 1.

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

Page 1, delete section 1

Page 2, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 2016, section 475.58, subdivision 4, is amended to read:

Subd. 4. **Proper use of bond proceeds.** The proceeds of obligations issued after approval of the electors under this section may only be spent: (1) for ~~the~~ purposes consistent with those stated in the ballot language; or (2) to pay, redeem, or defease obligations and interest, penalties, premiums, and costs of issuance of the obligations. The proceeds may not be spent for a different purpose or for an expansion ~~of~~ or contraction that is materially different than the original purpose without the approval by a majority of the electors voting on the question of changing or expanding the purpose of the obligations."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 3335:** A bill for an act relating to education finance; authorizing online learning providers to generate online learning aid for courses offered to nonpublic pupils; appropriating money; amending Minnesota Statutes 2016, sections 124D.095, subdivision 8; 124D.096.

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

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

**S.F. No. 2845:** A bill for an act relating to state government; requesting the legislative auditor to conduct a program evaluation of the management of permanent school fund assets.

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

Page 1, line 10, after the comma, insert "the feasibility of a program to authorize school districts to borrow money for capital improvements from the permanent school fund,"

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

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

**S.F. No. 2675:** A bill for an act relating to health; removing the date restriction for the commissioner of health to use all-payer claims data to analyze health care costs, quality, utilization, and illness burdens; amending Minnesota Statutes 2016, section 62U.04, subdivision 11.

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

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

**S.F. No. 3410:** A bill for an act relating to natural resources; modifying conditions for agricultural best management practice loans to include environmental service providers; modifying drainage law to accelerate ditch buffer strip implementation; amending Minnesota Statutes 2016, sections 17.117, subdivisions 1, 4, 11; 103E.021, subdivision 6; 103E.071; 103E.351, subdivision 1.

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

Page 1, after line 7, insert:

**"ARTICLE 1**

**ACCELERATED BUFFER STRIP IMPLEMENTATION"**

Page 1, line 11, strike "rural"

Page 2, line 12, strike "or a rural" and insert "a" and after "landowner" insert ", or an approved environmental service provider"

Page 2, line 18, strike the colon

Page 2, line 19, strike "(1)" and strike "; and"

Page 2, line 20, strike everything before the period

Page 3, after line 6, insert:

"(n) "Landowner" means the owner of record of Minnesota real estate on which the project is located."

Page 3, line 7, delete "(n)" and insert "(o)"

Page 3, line 9, delete "(o)" and insert "(p)"

Page 3, line 12, delete "(p)" and insert "(q)" and strike "(n)" and insert "(p)" and after the comma, insert "a local municipality or county with taxing or special assessment authority, a watershed district, a drainage authority, a township,"

Page 3, line 16, delete "(q)" and insert "(r)"

Page 3, line 20, delete "(r)" and insert "(s)"

Page 3, line 21, delete "(s)" and insert "(t)"

Page 3, line 23, delete "(t)" and insert "(u)"

Page 3, lines 26 to 29, delete "(u)" and strike the old language

Page 6, after line 27, insert:

## **"ARTICLE 2**

### **RUNOFF AND SEDIMENT DELIVERY OPTION**

Section 1. Minnesota Statutes 2016, section 103E.005, is amended by adding a subdivision to read:

Subd. 27a. **Relative runoff.** "Relative runoff" includes the surface and subsurface runoff potential from a specific property compared on an equitable basis to all other properties contributing runoff to the drainage system.

Sec. 2. Minnesota Statutes 2016, section 103E.005, is amended by adding a subdivision to read:

Subd. 27b. **Relative sediment delivery.** "Relative sediment delivery" means the sediment delivery potential from a specific property compared on an equitable basis to all other properties contributing runoff to the drainage system.

Sec. 3. Minnesota Statutes 2016, section 103E.095, is amended to read:

#### **103E.095 APPEAL FROM ORDERS OF AN ORDER DISMISSING OR ESTABLISHING A DRAINAGE SYSTEMS PROJECT, OR OF A REPAIR COST APPORTIONMENT REPORT.**

Subdivision 1. **Notice of appeal.** A party may appeal an order made by the board that dismisses drainage project proceedings ~~or~~ establishes ~~or refuses to establish~~ a drainage project, or approves a repair cost apportionment report to the district court of the county where the drainage proceedings or drainage system repair are pending. The appellant must serve notice of the appeal to the auditor or secretary within 30 days after the order is filed. ~~After notice of the appeal is served, the appeal may be brought to trial by the appellant or the drainage authority after notifying the other party at least ten days before the trial date.~~

Subd. 2. **Trial.** The appeal must be tried by the court without a jury. The court shall examine the entire drainage proceeding and related matters and receive evidence to determine whether the findings made by the board can be sustained. At the trial the findings made by the board are prima

facie evidence of the matters stated in the findings, and the board's order is prima facie reasonable. If the court finds that the order appealed is lawful and reasonable, it shall be affirmed. If the court finds that the order appealed is arbitrary, unlawful, or not supported by the evidence, it shall make an order, justified by the court record, to take the place of the appealed order or repair cost apportionment report, or remand the order or report to the board for further proceedings. After the appeal has been determined by the court, the board shall proceed in conformity with the court order.

Subd. 3. **Determination of benefits and damages after court order.** If the order establishing a drainage project is appealed, the trial of appeals related to benefits or damages in the drainage proceeding must be stayed until the establishment appeal is determined. If the order establishing the drainage project is affirmed, appeals related to benefits and damages must then be tried.

Subd. 4. **Procedure if appeal order establishes drainage project.** If an order refusing to establish a drainage project is appealed, and the court, by order, establishes the drainage project, the auditor shall give notice by publication of the filed order. The notice is sufficient if it refers to the drainage project or system by number or other descriptive designation, states the meaning of the order, and states the date the court order was filed. A person may appeal the establishment order to the district court as provided in this section.

Subd. 5. **Appeal of appellate order.** A party aggrieved by a final order or judgment rendered on appeal to the district court may appeal as in other civil cases. The appeal must be made and perfected within 30 days after the filing of the order or entry of judgment.

Sec. 4. Minnesota Statutes 2016, section 103E.215, subdivision 5, is amended to read:

Subd. 5. **Subsequent proceedings.** When a petition and the bond required by section 103E.202 are filed, the auditor shall present the petition to the board at its next meeting or, for a joint county drainage system, to the joint county drainage authority within ten days after the petition is filed. The drainage authority shall appoint an engineer to examine the drainage system and make an improvement report. The improvement proceedings must be conducted under this chapter as provided for the original proceedings for the establishment of a drainage project. The benefits and damages determined must be as a result of the proposed improvement. ~~Assessments for the repair of the improvement must be based on the benefits determined for the improvement.~~

Sec. 5. Minnesota Statutes 2016, section 103E.401, subdivision 4, is amended to read:

Subd. 4. **Hearing.** At the hearing the drainage authority shall consider the capacity of the outlet drainage system. If express authority is given to use the drainage system as an outlet, the drainage authority shall state, by order, the terms and conditions for use of the established drainage system as an outlet and shall set the amount to be paid as an outlet fee. The order must describe the property to be benefited by the drainage system and must state the amount of benefits to the property for the outlet. The property benefited is liable for repair assessments levied after that time in the drainage system, ~~on the basis of the benefits as if the benefits had been determined in the order establishing the drainage system~~ in accordance with section 103E.728.

Sec. 6. Minnesota Statutes 2016, section 103E.411, subdivision 5, is amended to read:

Subd. 5. **Benefits and assessments if drainage system established.** If the drainage system is established, the drainage authority must determine the amount the municipality must pay for the

privilege of using the drainage system as an outlet. The amount must be paid to the ~~affected counties~~ drainage authority and credited to the account of the drainage system used as an outlet. The municipality is liable for all subsequent liens and assessments for the repair and maintenance of the drainage system in ~~proportion to the benefits, as though the benefits were determined in the order establishing the drainage system~~ accordance with section 103E.728.

Sec. 7. Minnesota Statutes 2016, section 103E.615, subdivision 1, is amended to read:

Subdivision 1. **Municipalities.** Assessments filed ~~for benefits~~ to a municipality are a liability of the municipality and are due and payable with interest in installments on November 1 of each year as provided in section 103E.611. If the installments and interest are not paid on or before November 1, the amount due with interest added as provided in section 103E.611 must be extended by the county auditor against all property in the municipality that is liable to taxation. A levy must be made and the amount due must be paid and collected in the same manner and time as other taxes.

Sec. 8. Minnesota Statutes 2016, section 103E.615, subdivision 2, is amended to read:

Subd. 2. **County or state-aid road.** If a public road ~~benefited~~ assessed is a county or state-aid road, the assessment filed is against the county and must be paid out of the road and bridge fund of the county.

Sec. 9. Minnesota Statutes 2016, section 103E.615, subdivision 3, is amended to read:

Subd. 3. **State trunk highway.** An assessment against the state ~~for benefits~~ to trunk highways is chargeable to and payable out of the trunk highway fund. The commissioner of transportation shall pay assessments from the trunk highway fund after receipt of a certified copy of the assessment against the state ~~for benefits~~ to a trunk highway.

Sec. 10. Minnesota Statutes 2016, section 103E.615, subdivision 5, is amended to read:

Subd. 5. **State property.** State property, including rural credit property, is assessable for benefits received, or repair costs in accordance with section 103E.728. The assessment must be paid by the state from funds appropriated and available for drainage assessments after the state officer having jurisdiction over the assessed property certifies the assessment to the commissioner of management and budget.

Sec. 11. Minnesota Statutes 2016, section 103E.615, subdivision 7, is amended to read:

Subd. 7. **Railroad and utility property.** Property owned by a railroad or other utility corporation benefited by a drainage project is liable for the assessments ~~of for benefits on the property, and for repair costs apportioned in accordance with section 103E.728,~~ as other taxable property. From the date the drainage lien is recorded, the amount of the assessment with interest is a lien against all property of the corporation within the county. Upon default the assessment may be collected by civil action or the drainage lien may be foreclosed by action in the same manner as provided by law for the foreclosure of mortgage liens. The county where the drainage lien is filed has the right of action against the corporation to enforce and collect the assessment.

Sec. 12. Minnesota Statutes 2016, section 103E.711, subdivision 1, is amended to read:

Subdivision 1. **Repair cost statement.** For a joint county drainage system the auditor of a county that has made repairs may present a repair cost statement at the end of each year, or other convenient period after completion, to each affected county. The repair cost statement must show the nature and cost of the repairs to the drainage system and must be ~~based on the original apportionment of cost following the establishment of the drainage system~~ apportioned in accordance with section 103E.728. If a board approves the repair costs, the amount of the statement must be paid to the county submitting the statement.

Sec. 13. Minnesota Statutes 2016, section 103E.715, subdivision 4, is amended to read:

Subd. 4. **Hearing on repair report.** (a) The drainage authority shall make findings and order the repair to be made if:

(1) the drainage authority determines from the repair report and the evidence presented that the repairs recommended are necessary for the best interests of the affected property owners; or

(2) the repair petition is signed by the owners of at least 26 percent of the property area affected by and assessed for ~~the original construction~~ benefits of the drainage system, and the drainage authority determines that the drainage system is in need of repair so that it no longer serves its ~~original~~ purpose and the cost of the repair will not exceed the total benefits ~~determined in the original drainage system proceeding of record for the drainage system.~~

(b) The order must direct the auditor and the chair of the board or, for a joint county drainage system, the auditors of the affected counties to proceed and prepare and award a contract for the repair of the drainage system. The contract must be for the repair described in the repair report and as determined necessary by the drainage authority, and be prepared in the manner provided in this chapter ~~for the original drainage system construction.~~

Sec. 14. Minnesota Statutes 2016, section 103E.715, subdivision 5, is amended to read:

Subd. 5. **Apportionment of repair cost for joint county drainage system.** For the repair of a joint county drainage system, the drainage authority shall, by order, apportion the repair cost among affected counties in ~~the same manner required in the original construction of the drainage system~~ accordance with section 103E.728.

Sec. 15. Minnesota Statutes 2016, section 103E.725, is amended to read:

#### **103E.725 COST OF REPAIR.**

All fees and costs incurred for proceedings relating to the repair of a drainage system, including inspections, engineering, viewing, ~~determination and administration of repair cost apportionment, hearings, and publications, as applicable,~~ are costs of the repair ~~and must be assessed against the property and entities benefited.~~

Sec. 16. Minnesota Statutes 2016, section 103E.728, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Except as otherwise provided in this section, the cost of repairing a drainage system shall be apportioned:

(1) pro rata on all property and entities that have been assessed benefits for the drainage system except as provided in this section based on an applicable confirmed viewers' report of benefits and damages; or

(2) on all property contributing runoff to the drainage system, based on relative runoff and relative sediment delivery in an approved repair cost apportionment report, in accordance with subdivision 1a.

Repair costs apportioned using the method in clause (2) are charges for property contributing runoff to the drainage system that shall be considered repair cost assessments in this chapter.

Sec. 17. Minnesota Statutes 2016, section 103E.728, is amended by adding a subdivision to read:

**Subd. 1a. Relative runoff and relative sediment delivery method for repair cost apportionment.** (a) When the drainage authority has determined that a drainage system repair is necessary, the drainage authority may apportion costs for the repair of a drainage system based on relative runoff and relative sediment delivery from any property, public road, street, railway, or other utility contributing runoff to the drainage system as provided in this subdivision. If this cost apportionment method is used, costs must be determined prior to ordering the repair of all or any part of a drainage system as provided in section 103E.705, subdivision 3, or 103E.715, subdivision 4, or prior to levying a repair fund assessment as provided in section 103E.735, subdivision 1.

(b) The drainage authority shall appoint one or more persons qualified to use geographic information system technology and applicable digital information, including but not limited to conditioned topographic data, soils and land use data, and property, road, and utility corridor identification data, together with appropriate on-site verification, to equitably apportion repair costs.

(c) The person or persons conducting the cost apportionment shall file a repair cost apportionment report with the drainage authority explaining in nontechnical language the method, data, and interpretations used, and the cost apportionment results. The report shall present data and results in a format so that individual property owners, political subdivisions, and utilities can clearly examine the information applicable to their property, public road, street, railway, or other utility, including for each parcel having a separate property identification number.

(d) When a repair cost apportionment report is filed, the drainage authority, in consultation with the auditor or secretary, shall set a time, by order, for a hearing on the report not more than 30 days after the date of the order. At least 20 days before the hearing, the auditor or secretary shall give notice by mail of the time and location of the hearing to the owners of property, political subdivisions, and utilities proposed to be assessed in the report. The notice of hearing must include a copy of the portion of the report explaining in nontechnical language the method, data, and interpretations used, the cost apportionment results applicable to the property owner, political subdivision, or utility receiving notice, and a statement of the location where the entire repair cost apportionment report has been filed for public inspection.

(e) At the hearing, the drainage authority shall hear and consider the testimony presented by all interested parties. At least one person responsible for preparing the repair cost apportionment report shall be present at the initial hearing.



(f) If the drainage authority determines that the apportionment of costs is not equitable, the drainage authority may amend the repair cost apportionment report and shall make necessary and proper findings and an order in relation to the report, or resubmit matters to the preparer of the repair cost apportionment report for further consideration. If matters are resubmitted, the hearing may be continued as necessary to make and hear an amended report. The report preparer shall proceed promptly to reconsider resubmitted matters and shall make and file an amended report. The drainage authority may replace the original report with the amended report for apportionment of repair costs and make necessary and proper findings and an order to approve the amended report. The jurisdiction of the drainage authority continues in the property given proper notice, and new or additional notice is not required for that property.

(g) After consideration of the repair cost apportionment report, any amended report, and all evidence presented, the drainage authority shall make findings, approve the report, and apportion repair costs consistent with the values in the repair cost apportionment report if it finds that the cost apportionment is equitable based on:

(1) the weighting of relative runoff and relative sediment delivery is appropriate for the type of repair;

(2) the data inputs are reliable; and

(3) the computation method is reliable.

(h) The drainage authority may continue to apportion repair costs consistent with the values in the repair cost apportionment report of record. After a repair cost apportionment report has been approved under this subdivision, an owner of property, a political subdivision, or a utility assessed in the repair cost apportionment report of record may request in writing that the drainage authority update the report based on changed land use. The request shall be filed with the auditor of the county where the property is located or the secretary. Prior to the next approval by the drainage authority of a repair cost assessment for the drainage system, the drainage authority shall determine if the repair cost apportionment report of record reasonably reflects current land use, relative runoff, and relative sediment delivery. If it does not, the drainage authority shall make findings and shall appoint one or more persons to prepare and file an updated repair cost apportionment report for the drainage system in accordance with paragraphs (c), (d), (e), (f), and (g).

(i) Proper consideration must be given to property that is used for conservation that prohibits development or land use change by ownership, deed restriction, or conservation easement, or is enrolled in a program that prohibits agricultural crop production.

(j) The owner of any property subject to cost apportionment listed in the adopted repair cost apportionment report may appeal findings of the drainage authority under paragraph (g) as provided in section 103E.095.

Sec. 18. Minnesota Statutes 2016, section 103E.728, subdivision 2, is amended to read:

Subd. 2. **Additional assessment for agricultural practices on permanent strip of perennial vegetation.** (a) The drainage authority may, after notice and hearing, charge an additional assessment on property that has agricultural practices on or otherwise violates provisions related to the permanent strip of perennial vegetation acquired under section 103E.021.

(b) The drainage authority may determine the cost of the repair per mile of open ditch on the ditch system. Property that is in violation of the ~~grass~~ section 103E.021 perennial buffer strip requirement shall be assessed ~~a~~ an additional cost of 20 percent of the repair cost per open ditch mile multiplied by the length of open ditch in miles on the property in violation.

(c) After the amount of the additional assessment is determined and applied to the repair cost, the balance of the repair cost may be apportioned ~~pro-rata~~ as provided in subdivision 1.

Sec. 19. Minnesota Statutes 2016, section 103E.731, subdivision 1, is amended to read:

Subdivision 1. **Repair cost of assessments.** If there is not enough money in the drainage system account to make a repair, the board shall assess the costs of the repairs ~~on all property and entities that have been assessed benefits for the drainage system~~ in accordance with section 103E.728.

Sec. 20. Minnesota Statutes 2016, section 103E.731, subdivision 2, is amended to read:

Subd. 2. **Number of installments.** The assessments may be paid in up to 15 annual installments specified in the assessment order. ~~If the assessments are not more than 50 percent of the original cost of the drainage system, the installments may not exceed ten. If the assessments are greater than 50 percent of the original cost of the drainage system, the board may order the assessments to be paid in 15 or less installments.~~

Sec. 21. Minnesota Statutes 2016, section 103E.731, subdivision 6, is amended to read:

Subd. 6. **Repair of state drainage system when no benefits assessed.** For the repair of a drainage system established by the state where benefits were not assessed to the property, the drainage authority shall ~~proceed to appoint viewers to determine the benefits resulting from the repair~~ apportion repair costs in accordance with section 103E.728, and collect assessments for the repair as provided in this chapter.

Sec. 22. Minnesota Statutes 2016, section 103E.735, subdivision 1, is amended to read:

Subdivision 1. **Authority and limits of fund.** To create or maintain a repair fund for a drainage system to be used only for repairs, the drainage authority may apportion and assess an amount ~~against all property and entities assessed for benefits in proceedings for establishment of the drainage system, including property not originally assessed and subsequently found to be benefited according to law in accordance with section 103E.728.~~ The fund may not exceed 20 percent of the assessed benefits of the drainage system or \$100,000, whichever is greater. If the account in a fund for a drainage system exceeds the larger of 20 percent of the assessed benefits of the drainage system or \$100,000, assessments for the fund may not be made until the account is less than the larger of 20 percent of the assessed benefits or \$100,000. ~~Assessments must be made pro-rata according to the determined benefits.~~ Assessments may be made payable, by order, in equal annual installments. The auditor shall file a tabular statement as provided in section 103E.731, subdivision 4, with the county recorder. Assessments must be collected as provided in section 103E.731."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "provide a runoff and sediment delivery option for repair charges;"

Amend the title numbers accordingly

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

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

**S.F. No. 3181:** A bill for an act relating to drainage; modifying procedures for repairing drainage systems; amending Minnesota Statutes 2016, section 103E.715, 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. **BOIS DE SIOUX WATERSHED DISTRICT; DRAINAGE SYSTEM REPAIRS.**

(a) Notwithstanding Minnesota Statutes, section 103E.715, subdivision 4, paragraph (a), clause (2), the managers of the Bois de Sioux Watershed District shall make findings and order the repair of a drainage system under Minnesota Statutes, section 103E.715, to be made if the repair petition is signed by the owners of at least 26 percent of the property area affected by and assessed for the original construction of the drainage system, and the drainage authority determines that the drainage system is in need of repair so that it can serve its original purpose and the cost of the repair will not exceed the total benefits determined in the original drainage system proceeding that are updated to reflect current land values, based on the county assessor's average of the estimated market values for the previous three years.

(b) This section expires August 1, 2023.

(c) By January 15, 2022, the watershed district shall report on the use of this section to the drainage working group created under Minnesota Statutes, section 103B.101, subdivision 13, and to the chairs and ranking minority members of legislative committees with jurisdiction over agriculture policy.

**EFFECTIVE DATE.** This section is effective the day following compliance by the Bois de Sioux Watershed District with Minnesota Statutes, section 645.021, subdivision 3."

Amend the title as follows:

Page 1, line 2, delete "modifying" and insert "authorizing Bois de Sioux Watershed District modified" and after the second semicolon insert "requiring a report;"

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

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

**S.F. No. 3378:** A bill for an act relating to commerce; modifying fees for manufactured home installers; amending Minnesota Statutes 2016, sections 326B.815, subdivision 1; 327B.041.

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

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

**S.F. No. 2837:** A bill for an act relating to housing; providing for the use of housing infrastructure bonds to finance manufactured housing park infrastructure for lease to low- and moderate-income manufactured home owners; amending Minnesota Statutes 2016, section 462A.37, subdivision 2; Minnesota Statutes 2017 Supplement, section 462A.2035, subdivisions 1, 1b.

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. 3203:** A bill for an act relating to agriculture; requiring reimbursement of certain persons who control or eradicate noxious weeds on a trunk highway right-of-way; amending Minnesota Statutes 2016, section 18.78, subdivision 1.

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

**S.F. No. 3496:** A bill for an act relating to agriculture; excluding sales of off-sale alcoholic beverages when determining a food handler license fee; amending Minnesota Statutes 2016, section 28A.16.

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

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

**S.F. No. 3558:** A bill for an act relating to energy; establishing an energy conservation utility stakeholder group; amending Minnesota Statutes 2017 Supplement, section 216B.241, subdivision 1d.

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

Page 2, line 1, reinstate "may" and delete "must"

Page 2, line 10, delete "consists of four members, with" and insert "shall include, but is not limited to, stakeholders representative of"

Page 2, line 11, delete "and the commissioner each appointing"

Page 2, line 12, delete "one member" and insert "energy conservation organizations, and businesses that work in energy efficiency" and delete "appointed utility"

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

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

**S.F. No. 2840:** A bill for an act relating to energy; requiring a study on the vulnerability of the electrical grid to solar storms; appropriating money.

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 3173, 3228, 3188, 2843, 919, 3405, 3466, 2978, 3540, 3056, 2662, 3216, 1517, 2675, and 3558 were read the second time.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

**Senators Lang, Ruud, Newton, and Anderson, B. introduced--**

**S.F. No. 3633:** A bill for an act relating to arts and culture; appropriating money for Veterans' Voices radio programming.

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

**Senator Bakk introduced--**

**S.F. No. 3634:** A bill for an act relating to capital investment; appropriating money for improvements to and renovation of the main lift station in Two Harbors; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Relph and Wiklund introduced--**

**S.F. No. 3635:** A bill for an act relating to health; modifying an appropriation to the commissioner of health for home visiting programs for families with young children; amending Laws 2017, First Special Session chapter 6, article 18, section 3, subdivision 2.

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

**Senator Koran introduced--**

**S.F. No. 3636:** A bill for an act relating to public safety; revoking snowmobile or all-terrain vehicle privileges following a conviction for driving under the influence; amending Minnesota Statutes 2017 Supplement, sections 84.91, subdivision 1; 169A.07.

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

**Senator Koran introduced--**

**S.F. No. 3637:** A bill for an act relating to public safety; revoking snowmobile or all-terrain vehicle privileges following a conviction for driving under the influence; amending Minnesota Statutes 2017 Supplement, sections 84.91, subdivision 1; 169A.07.

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

**Senator Koran introduced--**

**S.F. No. 3638:** A bill for an act relating to public safety; revoking snowmobile or all-terrain vehicle privileges following a conviction for driving under the influence; amending Minnesota Statutes 2017 Supplement, sections 84.91, subdivision 1; 169A.07.

Referred to the Committee on Transportation Finance and Policy.

**Senator Koran introduced--**

**S.F. No. 3639:** A bill for an act relating to education; requiring a district to provide online learning students access to a school site; amending Minnesota Statutes 2016, section 124D.095, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senator Benson introduced--**

**S.F. No. 3640:** A bill for an act relating to human services; limiting the extent to which the commissioner can renew, modify, or renegotiate contracts with integrated health partnerships and managed care organizations; amending Minnesota Statutes 2016, sections 256B.0755, by adding a subdivision; 256B.69, subdivision 5a.

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

**Senator Benson introduced--**

**S.F. No. 3641:** A bill for an act relating to human services; establishing licensure requirements for the Department of Human Services related to administration of the integrated health partnership demonstration project; amending Minnesota Statutes 2016, section 256B.0755, by adding subdivisions.

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

**Senator Benson introduced--**

**S.F. No. 3642:** A bill for an act relating to human services; establishing requirements for integrated health partnership administrative services provided by the commissioner; amending Minnesota Statutes 2016, section 256B.0755, by adding a subdivision.

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

**Senator Benson introduced--**

**S.F. No. 3643:** A bill for an act relating to human services; establishing a working group to make recommendations on restructuring the Department of Human Services; requiring a report.

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

**Senator Housley introduced--**

**S.F. No. 3644:** A bill for an act relating to transportation; establishing a freight rail economic development program; amending Minnesota Statutes 2017 Supplement, section 222.49; proposing coding for new law in Minnesota Statutes, chapter 222.

Referred to the Committee on Transportation Finance and Policy.

**Senator Housley introduced--**

**S.F. No. 3645:** A bill for an act relating to employment; requiring employers of pregnant emergency medical technicians to provide pregnancy accommodations; amending Minnesota Statutes 2016, section 181.9414, by adding a subdivision.

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

**Senators Housley and Limmer introduced--**

**S.F. No. 3646:** A bill for an act relating to health; allowing state contractor licensee to perform radon mitigation work; amending Minnesota Statutes 2016, sections 144.4961, by adding a subdivision; 326B.805, by adding a subdivision.

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

**Senator Johnson introduced--**

**S.F. No. 3647:** A bill for an act relating to natural resources; modifying Clean Water Legacy Act; providing for coordinated watershed management; amending Minnesota Statutes 2016, sections 103B.3369, subdivisions 5, 9; 103B.801, subdivisions 2, 5; 114D.15, subdivisions 7, 11, 13, by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 114D.

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

**Senators Anderson, P.; Limmer; and Hawj introduced--**

**S.F. No. 3648:** A bill for an act relating to capital investment; appropriating money for a cybersecurity operations center at Metro State University; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Hawj, Jensen, Marty, Klein, and Bigham introduced--**

**S.F. No. 3649:** A bill for an act relating to arts and culture; appropriating money for the Chinese garden in Phalen Park.

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

**Senators Abeler, Housley, Benson, Hoffman, and Hayden introduced--**

**S.F. No. 3650:** A bill for an act relating to state government; establishing a new state agency consolidating the Department of Human Services and Department of Health licensing, background studies, and oversight functions.

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

**Senator Champion introduced--**

**S.F. No. 3651:** A bill for an act relating to public safety; prohibiting the transfer of semiautomatic military-style assault weapons; establishing a semiautomatic military-style assault weapon buyback program; providing criminal penalties; appropriating money; amending Minnesota Statutes 2016, section 624.712, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 624.

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

**Senator Relph introduced--**

**S.F. No. 3652:** A bill for an act relating to environment; restricting application of certain storm water rules.

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



**Senator Frentz introduced--**

**S.F. No. 3653:** A bill for an act relating to public safety; including the transfer of all bodily fluids in the crime of assaulting secure treatment facility personnel; amending Minnesota Statutes 2016, section 609.2231, subdivision 3a.

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

**Senators Utke and Anderson, P. introduced--**

**S.F. No. 3654:** A bill for an act relating to education; requiring statewide tests be administered after April 14; requiring testing reports; amending Minnesota Statutes 2016, section 120B.30, subdivision 3; Minnesota Statutes 2017 Supplement, section 120B.30, subdivision 1.

Referred to the Committee on E-12 Policy.

**Senators Rosen, Draheim, and Weber introduced--**

**S.F. No. 3655:** A bill for an act relating to education; authorizing school districts to use long-term facilities maintenance revenue for projects that increase the safety and security of school facilities; establishing a supplemental aid program to pay a portion of the costs for school district projects that increase the safety and security of school facilities; amending Minnesota Statutes 2016, section 123B.595, subdivision 7, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senator Rosen introduced--**

**S.F. No. 3656:** A bill for an act relating to finance; deleting an obsolete transfer; amending Minnesota Statutes 2017 Supplement, section 16A.152, subdivision 2.

Referred to the Committee on Finance.

**Senators Hayden, Lourey, and Klein introduced--**

**S.F. No. 3657:** A bill for an act relating to health care; extending medical assistance coverage for supported employment services; amending Minnesota Statutes 2016, section 256B.0625, by adding a subdivision.

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

**Senator Kiffmeyer introduced--**

**S.F. No. 3658:** A bill for an act relating to state government; modifying the effective date of certain provisions governing the preparation of fiscal notes; modifying provisions governing the Legislative Budget Office; amending Minnesota Statutes 2016, sections 10A.01, subdivision 35; 13.64, by adding a subdivision; Minnesota Statutes 2017 Supplement, sections 3.8853, subdivisions 1, 2, by adding subdivisions; 3.98, subdivision 1; 477A.03, subdivision 2b; Laws 2017, First Special

Session chapter 4, article 2, sections 1; 3; 58; repealing Minnesota Statutes 2017 Supplement, section 3.98, subdivision 4.

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

**Senators Jasinski and Newman introduced--**

**S.F. No. 3659:** A bill for an act relating to transportation; appropriating money for certain reimbursements to deputy registrars.

Referred to the Committee on Transportation Finance and Policy.

**Senators Jasinski and Newman introduced--**

**S.F. No. 3660:** A bill for an act relating to motor vehicles; governing motor vehicle services; broadening certain powers of deputy registrars related to handling transactions; amending Minnesota Statutes 2016, sections 168.101, subdivision 2a; 168.127, subdivision 6; 168.326; 168.33, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Koran, Housley, and Draheim introduced--**

**S.F. No. 3661:** A bill for an act relating to taxation; property; providing for classification of facilities used as retreat houses or craft houses as seasonal-recreational property; amending Minnesota Statutes 2017 Supplement, section 273.13, subdivision 25.

Referred to the Committee on Taxes.

**Senator Mathews introduced--**

**S.F. No. 3662:** A bill for an act relating to health; changing provisions for independent dispute resolution for certain facilities; amending Minnesota Statutes 2016, section 144A.10, subdivision 16.

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

**Senators Koran and Newman introduced--**

**S.F. No. 3663:** A bill for an act relating to cosmetology; repealing facility licensure requirements for practitioners who only provide eyelash extensions; amending Minnesota Statutes 2016, sections 155A.23, subdivision 8; 155A.29, subdivisions 1, 6.

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

**Senators Wiger and Kent introduced--**

**S.F. No. 3664:** A bill for an act relating to education; providing for school safety, including requiring a school district to publish a summary of its crisis management policy, establishing school

threat assessment teams and oversight committees, authorizing school boards to bond for certain security-related equipment, modifying the requirements of the commissioner's review and comment process, establishing safe schools revenue, and modifying the allowable uses of safe schools revenue; appropriating money for student support services and other purposes; amending Minnesota Statutes 2016, sections 121A.035, subdivision 2; 123B.61; 123B.71, subdivision 9; 126C.44; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on E-12 Policy.

**Senator Jensen introduced--**

**S.F. No. 3665:** A bill for an act relating to court fees; amending the fee to renew a judgment on consumer credit transactions; amending Minnesota Statutes 2017 Supplement, section 357.021, subdivision 2.

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

**Senator Jensen introduced--**

**S.F. No. 3666:** A bill for an act relating to capital investment; appropriating money for Lake Waconia Regional Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jensen introduced--**

**S.F. No. 3667:** A bill for an act relating to health care; requiring health plan companies to count payments to out-of-network providers toward an enrollee's annual deductible; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

**Senator Jensen introduced--**

**S.F. No. 3668:** A bill for an act relating to taxation; corporate franchise; reducing rates; amending Minnesota Statutes 2016, sections 290.06, subdivision 1; 290.0921, subdivision 1.

Referred to the Committee on Taxes.

**Senator Jensen introduced--**

**S.F. No. 3669:** A bill for an act relating to ethics in government; modifying prohibitions on certain gifts; amending Minnesota Statutes 2016, section 10A.071, subdivision 3.

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

**Senators Fischbach and Eichorn introduced--**

**S.F. No. 3670:** A bill for an act relating to capital investment; appropriating money for capital improvements at Minnesota State Colleges and Universities; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Fischbach and Eichorn introduced--**

**S.F. No. 3671:** A bill for an act relating to higher education; appropriating money to the Board of Trustees of the Minnesota State Colleges and Universities.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Eken introduced--**

**S.F. No. 3672:** A bill for an act relating to border city development zones; authorizing income and property tax incentives to encourage homeownership and investment in zones; amending Minnesota Statutes 2016, sections 272.0212, subdivisions 1, 4, 5; 290.0132, by adding a subdivision; 290.0134, by adding a subdivision; 469.1731, subdivisions 1, 2; 469.1732, subdivision 1, by adding subdivisions; 469.1735, subdivision 2.

Referred to the Committee on Taxes.

**Senator Limmer introduced--**

**S.F. No. 3673:** A bill for an act relating to human services; modifying provisions relating to discharge from civil commitment for persons committed as mentally ill and dangerous, sexually dangerous, or persons with a sexual psychopathic personality; amending Minnesota Statutes 2016, sections 253B.18, subdivision 15; 253D.31.

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

**Senator Eichorn introduced--**

**S.F. No. 3674:** A bill for an act relating to education finance; broadening the natural disaster debt service equalization aid program to assist school districts with a high percentage of property excluded from the tax rolls; appropriating money; amending Minnesota Statutes 2016, sections 123B.535; 127A.49.

Referred to the Committee on E-12 Finance.

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

**S.F. No. 3675:** A bill for an act relating to economic development; appropriating money for academic and applied research at the Natural Resources Research Institute; requiring reports.

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

**Senator Simonson introduced--**

**S.F. No. 3676:** A bill for an act relating to capital investment; appropriating money for the Duluth Steam Plant; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Lang introduced--**

**S.F. No. 3677:** A bill for an act relating to capital investment; appropriating money for a highway-rail grade separation on County State-Aid Highways 55, 5, and 15 in Kandiyohi County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Ruud introduced--**

**S.F. No. 3678:** A bill for an act relating to capital investment; appropriating money for the Brainerd Armory; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Rosen, Lourey, Jensen, Klein, and Benson introduced--**

**S.F. No. 3679:** A bill for an act relating to human services; appropriating money for school-linked mental health grants delivered by telemedicine; requiring a report.

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

**Senator Weber introduced--**

**S.F. No. 3680:** A bill for an act relating to motor vehicles; amending special overweight permits for hauling certain agricultural products; amending Minnesota Statutes 2016, section 169.865, subdivisions 1, 2, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senator Hayden introduced--**

**S.F. No. 3681:** A bill for an act relating to human services; modifying basic sliding fee child care funding priorities and allocation formula; amending Minnesota Statutes 2016, section 119B.03, subdivision 6; Minnesota Statutes 2017 Supplement, section 119B.03, subdivision 4.

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

**Senators Osmek and Koran introduced--**

**S.F. No. 3682:** A bill for an act proposing an amendment to the Minnesota Constitution, article XIV, section 13; modifying allocation of certain motor vehicle sales tax revenue; amending Minnesota Statutes 2016, section 297B.09, subdivision 1.

Referred to the Committee on Transportation Finance and Policy.

**Senator Osmek introduced--**

**S.F. No. 3683:** A bill for an act relating to transportation; establishing a construction prohibition related to colocation of light rail transit and freight rail; amending Minnesota Statutes 2016, section 473.3994, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senator Osmek introduced--**

**S.F. No. 3684:** A bill for an act relating to taxation; property; allowing certain land used to provide environmental benefits to be defined as an agricultural purpose; amending Minnesota Statutes 2017 Supplement, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

**Senators Johnson, Koran, and Ingebrigtsen introduced--**

**S.F. No. 3685:** A bill for an act relating to public safety; creating a lifetime revocation of licenses and permits to drive for certain repeat offenders; creating a reinstatement process for individuals subject to lifetime revocation; amending Minnesota Statutes 2016, sections 169A.52, subdivisions 3, 4; 169A.55, subdivision 4, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 171.177, subdivisions 4, 5.

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

**Senator Wiger introduced--**

**S.F. No. 3686:** A bill for an act relating to environment; modifying external peer review requirements for certain standards; amending Minnesota Statutes 2016, section 115.035.

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

**Senator Champion introduced--**

**S.F. No. 3687:** A bill for an act relating to children; permitting legal parent to petition for reestablishment of the legal parent and child relationship; amending Minnesota Statutes 2016, section 260C.329, subdivisions 3, 7, 8; repealing Minnesota Statutes 2016, section 260C.329, subdivision 5.

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

**Senator Relph introduced--**

**S.F. No. 3688:** A bill for an act relating to local government; modifying town officer terms; modifying audit requirements for towns; amending Minnesota Statutes 2016, sections 367.03, subdivision 4; 367.25, subdivision 1; 367.36, subdivision 1.

Referred to the Committee on Local Government.

**Senator Newton introduced--**

**S.F. No. 3689:** A bill for an act relating to taxation; property taxes; modifying the application due date for the disabled veterans homestead exclusion; providing refunds for taxes paid in 2017 or 2018 by certain qualifying veterans; amending Minnesota Statutes 2017 Supplement, section 273.13, subdivision 34.

Referred to the Committee on Taxes.

**Senator Clausen introduced--**

**S.F. No. 3690:** A bill for an act relating to taxation; modifying the class of motor vehicles subject to the motor vehicle sales tax; amending Minnesota Statutes 2016, section 297B.025, subdivision 1.

Referred to the Committee on Taxes.

**Senator Hall introduced--**

**S.F. No. 3691:** A bill for an act relating to public safety; enhancing penalties for certain theft offenses; amending Minnesota Statutes 2016, section 609.52, subdivision 3.

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

**Senator Anderson, P. introduced--**

**S.F. No. 3692:** A bill for an act relating to capital investment; appropriating money for the Children's Theatre Company; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3693:** A bill for an act relating to capital investment; appropriating money for flood protection and mitigation for the Faribault Water Reclamation Facility; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3694:** A bill for an act relating to capital investment; appropriating money for a water treatment plant in Faribault; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3695:** A bill for an act relating to capital investment; appropriating money for a security corridor at the Minnesota State Academy for the Deaf campus; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3696:** A bill for an act relating to capital investment; appropriating money for renovations of dormitories at the Minnesota State Academies; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3697:** A bill for an act relating to capital investment; appropriating money for a track at the Minnesota State Academies; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3698:** A bill for an act relating to capital investment; appropriating money for asset preservation at the Minnesota State Academies; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Jasinski introduced--**

**S.F. No. 3699:** A bill for an act relating to capital investment; appropriating money for the Northern Links Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Draheim introduced--**

**S.F. No. 3700:** A bill for an act relating to housing; modifying the Minnesota Bond Allocation Act related to housing bonds; amending Minnesota Statutes 2016, sections 474A.02, by adding subdivisions; 474A.03, subdivision 1; 474A.04, subdivision 1a; 474A.061, subdivisions 1, 2a, 2b,



2c, 4, by adding subdivisions; 474A.062; 474A.091, subdivisions 1, 2, 3, 5, by adding a subdivision; 474A.131, subdivisions 1, 1b, 2; 474A.14.

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

**Senators Hawj, Dziezic, Dibble, Hayden, and Carlson introduced--**

**S.F. No. 3701:** A bill for an act relating to workforce development; appropriating money for Somali young adult and youth job training and workforce development.

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

**Senator Pratt introduced--**

**S.F. No. 3702:** A bill for an act relating to pari-mutuel horse racing; modifying provisions relating to licensing and regulation; amending Minnesota Statutes 2016, sections 240.01, by adding a subdivision; 240.02, subdivision 6; 240.08, subdivision 5; 240.131, subdivision 7; 240.135; 240.22.

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

**Senators Hoffman, Abeler, Relph, Jensen, and Eken introduced--**

**S.F. No. 3703:** A bill for an act relating to health care; requiring care coordination before a child with a complex medical condition is discharged from a hospital; amending Minnesota Statutes 2016, section 144.586, by adding a subdivision.

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

**Senator Hall introduced--**

**S.F. No. 3704:** A bill for an act relating to capital investment; appropriating money for the Freeway Closed Landfill; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Johnson, Eken, and Ingebrigtsen introduced--**

**S.F. No. 3705:** A bill for an act relating to natural resources; recognizing Red River Basin Commission; providing for membership and duties of commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103B.

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

**Senator Kiffmeyer introduced--**

**S.F. No. 3706:** A bill for an act relating to child support; modifying provisions relating to potential income determinations and reporting of arrears; amending Minnesota Statutes 2016, sections 518A.32, subdivision 3; 518A.685.

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

**Senators Utke, Johnson, and Tomassoni introduced--**

**S.F. No. 3707:** A bill for an act relating to taxation; property; requiring the commissioner of revenue to study adequacy of valuation of pipeline companies.

Referred to the Committee on Taxes.

**Senator Rosen introduced--**

**S.F. No. 3708:** A bill for an act relating to state government; authorizing court-ordered funding of critical functions in certain circumstances; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

**Senator Rest introduced--**

**S.F. No. 3709:** A bill for an act relating to municipal liquor stores; prohibiting inclusion of long-term pension benefit obligations in municipal liquor store statement of operations; amending Minnesota Statutes 2016, section 471.6985, by adding a subdivision.

Referred to the Committee on Local Government.

**Senator Weber introduced--**

**S.F. No. 3710:** A bill for an act relating to housing; appropriating money for grants to local housing trust funds.

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

**Senators Chamberlain, Rest, and Dziejczak introduced--**

**S.F. No. 3711:** A bill for an act relating to taxation; making technical and clarifying changes to individual income and corporate franchise taxes, sales and use taxes, tobacco taxes, property taxes, and other miscellaneous tax provisions; amending Minnesota Statutes 2016, sections 270C.85, subdivision 2; 270C.89, subdivision 2; 270C.91; 272.02, subdivisions 27, 81; 273.032; 273.061, subdivision 9; 273.113, subdivision 3; 273.119, subdivision 2; 273.1231, subdivision 3; 273.13, subdivision 35; 273.136, subdivision 2; 273.1384, subdivision 3; 273.18; 274.14; 274.16; 289A.08, subdivision 6; 289A.25, subdivision 1; 289A.31, subdivision 2; 289A.37, subdivision 6; 289A.38, subdivision 7; 290.06, subdivisions 2c, 2d; 290.0802, subdivisions 2, 3; 290.92, subdivision 28; 290A.03, subdivision 4; 290A.05; 290A.08; 290A.09; 290B.09, subdivision 1; 297A.61, subdivision 18; 297A.67, subdivision 12; 297A.68, subdivisions 17, 42, 44; 297A.70, subdivisions 3, 16; 297A.71, subdivisions 22, 45; 297A.77, by adding a subdivision; 297B.01, subdivision 14; 297F.01, subdivisions 19, 23, by adding a subdivision; 469.177, subdivision 1; Minnesota Statutes 2017 Supplement, sections 270C.89, subdivision 1; 273.0755; 273.13, subdivisions 22, 34; 273.1384, subdivision 2; 273.1387, subdivision 3; 275.025, subdivision 1; 290.0132, subdivision 26; 290.0137;

290.091, subdivision 2; 290A.03, subdivisions 3, 8; 297A.67, subdivision 6; 297A.70, subdivision 4; 297A.75, subdivision 1; 297B.01, subdivision 16; 462D.03, subdivision 2; Laws 2017, First Special Session chapter 1, article 8, section 3; repealing Minnesota Statutes 2016, section 275.29.

Referred to the Committee on Taxes.

**Senators Chamberlain, Rest, and Dziejczak introduced--**

**S.F. No. 3712:** A bill for an act relating to taxation; making policy changes to property taxes, partnership tax, and other miscellaneous tax provisions; amending Minnesota Statutes 2016, sections 162.145, subdivision 3; 270.41, subdivision 3; 270B.08, subdivision 2; 287.21, subdivision 1; 289A.38, subdivision 10; 289A.42; 289A.60, subdivision 24; 297A.84; 297A.85; 297F.17, subdivision 6; 297G.16, subdivision 7; 469.190, subdivisions 1, 7; 469.319, subdivision 4; Minnesota Statutes 2017 Supplement, sections 270C.445, subdivision 6; 272.115, subdivision 1; 289A.31, subdivision 1; 289A.37, subdivision 2; 290.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 289A; repealing Minnesota Statutes 2016, section 289A.38, subdivisions 7, 8, 9.

Referred to the Committee on Taxes.

**Senator Senjem introduced--**

**S.F. No. 3713:** A bill for an act relating to lawful gambling; modifying requirements for annual audits and reports for certain lawful gambling organizations; amending Minnesota Statutes 2016, sections 297E.06, subdivision 4; 309.53, subdivision 3.

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

**Senators Pappas and Senjem introduced--**

**S.F. No. 3714:** A bill for an act relating to capital investment; appropriating money for construction of CLUES Education and Technology Institute.

Referred to the Committee on Capital Investment.

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

**S.F. No. 3715:** A bill for an act relating to commerce; requiring disclosure with respect to video games that contain a system of further purchasing of randomized rewards; proposing coding for new law in Minnesota Statutes, chapter 325I.

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

**Senators Senjem, Abeler, and Clausen introduced--**

**S.F. No. 3716:** A bill for an act relating to energy; establishing the Clean Energy First Act; requiring electric utilities to meet resource needs using renewable energy and other clean energy resources; amending Minnesota Statutes 2016, sections 216B.2422, subdivision 1, by adding a

subdivision; 216B.2425, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 216B.2422, subdivision 4.

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

**Senator Anderson, B. introduced--**

**S.F. No. 3717:** A bill for an act relating to the military; authorizing resident hunting and fishing licenses to be issued to active military members; amending Minnesota Statutes 2016, section 97A.465, subdivision 3.

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

**Senator Relph introduced--**

**S.F. No. 3718:** A bill for an act relating to criminal justice; establishing penalties for school employees and independent contractors who have sexual relationships with students; definitions; amending Minnesota Statutes 2016, sections 609.341, by adding subdivisions; 609.344, subdivision 1; 609.345, subdivision 1.

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

**Senator Lang introduced--**

**S.F. No. 3719:** A bill for an act relating to air quality; prohibiting enforcement of certain conditions in an air quality permit; amending Minnesota Statutes 2016, section 116.07, subdivision 4a.

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

**Senator Lang introduced--**

**S.F. No. 3720:** A bill for an act relating to counties; providing a process for making the office of county recorder appointive in Renville County.

Referred to the Committee on Local Government.

**Senator Lang introduced--**

**S.F. No. 3721:** A bill for an act relating to capital investment; appropriating money for restoration of Grass Lake prairie wetland basin; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Lang introduced--**

**S.F. No. 3722:** A bill for an act relating to capital investment; modifying permitted use of a prior appropriation for the Willmar Wye project; amending Laws 2015, First Special Session chapter 5, article 1, section 10, subdivision 3, as amended.

Referred to the Committee on Capital Investment.

**Senator Rosen introduced--**

**S.F. No. 3723:** A bill for an act relating to capital investment; appropriating money for a new and renovated Martin County justice center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Dzedzic introduced--**

**S.F. No. 3724:** A bill for an act relating to transportation; modifying the state rail safety inspection program; amending Minnesota Statutes 2016, section 219.015, subdivision 1.

Referred to the Committee on Transportation Finance and Policy.

**Senators Dzedzic and Bakk introduced--**

**S.F. No. 3725:** A bill for an act relating to public safety; expanding the forgery crime; amending Minnesota Statutes 2016, section 609.63, subdivision 1.

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

**Senator Clausen introduced--**

**S.F. No. 3726:** A bill for an act relating to higher education; creating a Legislative Commission on Regent Selection; modifying procedures for making recommendations in the University of Minnesota Regent election process; amending Minnesota Statutes 2016, sections 137.0245, subdivision 4; 137.0246, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Franzen introduced--**

**S.F. No. 3727:** A bill for an act relating to education; providing a definition for STEM education; amending Minnesota Statutes 2016, section 120A.05, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senators Carlson and Little introduced--**

**S.F. No. 3728:** A bill for an act relating to elections; authorizing mail balloting in any town or any city with fewer than 400 registered voters; amending Minnesota Statutes 2016, section 204B.45, subdivision 1.

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

**Senators Dibble and Lourey introduced--**

**S.F. No. 3729:** A bill for an act relating to health care; exempting persons enrolled in the AIDS drug assistance program; amending Minnesota Statutes 2016, section 256B.0631, subdivision 2.

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

**Senator Little introduced--**

**S.F. No. 3730:** A bill for an act relating to taxation; sales and use; exempting prepared food used in certain nonprofit food programs; amending Minnesota Statutes 2016, section 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Nelson introduced--**

**S.F. No. 3731:** A bill for an act relating to human services; modifying various background study provisions; amending Minnesota Statutes 2016, section 245C.03, by adding a subdivision.

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

**Senators Hall and Benson introduced--**

**S.F. No. 3732:** A bill for an act relating to human services; modifying provisions governing collective bargaining agreements for self-directed workers; amending Laws 2017, First Special Session chapter 6, article 18, section 2, subdivision 15.

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

**MOTIONS AND RESOLUTIONS**

Senator Ingebrigsten moved that the name of Senator Nelson be added as a co-author to S.F. No. 676. The motion prevailed.

Senator Housley moved that the name of Senator Pratt be added as a co-author to S.F. No. 919. The motion prevailed.

Senator Newton moved that the name of Senator Nelson be added as a co-author to S.F. No. 1130. The motion prevailed.

Senator Mathews moved that the name of Senator Nelson be added as a co-author to S.F. No. 2364. The motion prevailed.

Senator Lang moved that the name of Senator Nelson be added as a co-author to S.F. No. 2692. The motion prevailed.

Senator Marty moved that the name of Senator Nelson be added as a co-author to S.F. No. 2750. The motion prevailed.

Senator Abeler moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Jensen be added as chief author to S.F. No. 2785. The motion prevailed.

Senator Benson moved that the name of Senator Nelson be added as a co-author to S.F. No. 2865. The motion prevailed.

Senator Latz moved that the name of Senator Hawj be added as a co-author to S.F. No. 2880. The motion prevailed.

Senator Latz moved that the name of Senator Nelson be added as a co-author to S.F. No. 2881. The motion prevailed.

Senator Jansinski moved that the name of Senator Nelson be added as a co-author to S.F. No. 2996. The motion prevailed.

Senator Jansinski moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 2997. The motion prevailed.

Senator Relph moved that the name of Senator Kent be added as a co-author to S.F. No. 3067. The motion prevailed.

Senator Johnson moved that the names of Senators Kiffmeyer and Nelson be added as co-authors to S.F. No. 3180. The motion prevailed.

Senator Carlson moved that the name of Senator Hoffman be added as a co-author to S.F. No. 3213. The motion prevailed.

Senator Lourey moved that the name of Senator Rosen be added as a co-author to S.F. No. 3265. The motion prevailed.

Senator Klein moved that the name of Senator Abeler be added as a co-author to S.F. No. 3341. The motion prevailed.

Senator Abeler moved that the name of Senator Benson be added as a co-author to S.F. No. 3367. The motion prevailed.

Senator Draheim moved that the names of Senators Hoffman and Clausen be added as co-authors to S.F. No. 3433. The motion prevailed.

Senator Housley moved that the names of Senators Relph, Ruud, Benson, and Abeler be added as co-authors to S.F. No. 3437. The motion prevailed.

Senator Housley moved that the names of Senators Relph, Ruud, Benson, and Abeler be added as co-authors to S.F. No. 3438. The motion prevailed.

Senator Lourey moved that the names of Senators Jensen and Draheim be added as co-authors to S.F. No. 3454. The motion prevailed.

Senator Benson moved that the names of Senators Mathews, Utke, and Draheim be added as co-authors to S.F. No. 3465. The motion prevailed.

Senator Draheim moved that the name of Senator Jensen be added as a co-author to S.F. No. 3480. The motion prevailed.

Senator Dahms moved that the name of Senator Rosen be added as a co-author to S.F. No. 3569. The motion prevailed.

Senator Hoffman moved that the name of Senator Rosen be added as a co-author to S.F. No. 3609. The motion prevailed.

Senator Chamberlain moved that S.F. No. 3274 be withdrawn from the Committee on Taxes and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

Senator Johnson moved that S.F. No. 3452 be withdrawn from the Committee on Jobs and Economic Growth Finance and Policy and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

Senator Ruud moved that S.F. No. 3531 be withdrawn from the Committee on Environment and Natural Resources Policy and Legacy Finance and re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Senator Benson moved that S.F. No. 2554, No. 20 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator Gazelka, for Senator Fischbach, moved that S.F. No. 3228, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator Abeler moved that S.F. No. 1677 be withdrawn from the Committee on Judiciary and Public Finance and Policy, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 1677 was read the second time.

Senator Anderson, P. moved that S.F. No. 3692 be withdrawn from the Committee on Capital Investment and returned to its author. The motion prevailed.

**Senator Sparks introduced --**

**Senate Resolution No. 192:** A Senate resolution congratulating the Lyle-Pacelli High School girls basketball team on winning the 2018 State High School Class A girls basketball championship.

Referred to the Committee on Rules and Administration.

**RECESS**

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.



**APPOINTMENTS**

Senator Gazelka from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 3133: Senators Newman, Osmek, and Dibble.

Senator Gazelka moved that the foregoing appointments be approved. The motion prevailed.

**MEMBERS EXCUSED**

Senators Cohen, Housley, Kent, Latz, and Pappas were excused from the Session of today.

**ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 22, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

