

STATE OF MINNESOTA

EIGHTY-NINTH SESSION — 2015

 THIRTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 25, 2015

The House of Representatives convened at 12:15 p.m. and was called to order by Tim O'Driscoll, Speaker pro tempore.

Prayer was offered by Father Patrick Barnes, St. Nicholas Catholic Church, Elko New Market, Minnesota.

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

The roll was called and the following members were present:

Allen	Dettmer	Hertaus	Lohmer	Nornes	Selcer
Anderson, P.	Dill	Hoppe	Loon	Norton	Simonson
Anderson, S.	Drazkowski	Hornstein	Loonan	O'Driscoll	Slocum
Anzelc	Erhardt	Hortman	Lucero	O'Neill	Smith
Applebaum	Erickson	Howe	Lueck	Peppin	Sundin
Backer	Fabian	Johnson, B.	Mack	Persell	Swedzinski
Baker	Fenton	Johnson, C.	Mahoney	Petersburg	Theis
Barrett	Fischer	Johnson, S.	Masin	Peterson	Torkelson
Bennett	Franson	Kahn	McDonald	Pierson	Uglen
Bernardy	Freiberg	Kelly	McNamara	Pinto	Urdahl
Bly	Garofalo	Kiel	Melin	Poppe	Vogel
Carlson	Green	Knoblach	Metsa	Pugh	Wagenius
Christensen	Gruenhagen	Koznick	Miller	Quam	Ward
Clark	Gunther	Kresha	Moran	Rarick	Whelan
Considine	Hackbarth	Laine	Mullery	Rosenthal	Wills
Cornish	Halverson	Lenczewski	Murphy, E.	Runbeck	Winkler
Daniels	Hamilton	Lesch	Murphy, M.	Sanders	Yarusso
Davids	Hancock	Liebling	Nash	Schoen	Youakim
Davnie	Hansen	Lien	Nelson	Schomacker	Zerwas
Dean, M.	Hausman	Lillie	Newberger	Schultz	Spk. Daudt
Dehn, R.	Heintzeman	Loeffler	Newton	Scott	

A quorum was present.

Albright; Anderson, M.; Atkins; Hilstrom; Isaacson; Mariani; Marquart; Pelowski and Thissen were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 152 and H. F. No. 216, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Anderson, P., moved that S. F. No. 152 be substituted for H. F. No. 216 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 209 and H. F. No. 180, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Sanders moved that S. F. No. 209 be substituted for H. F. No. 180 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Davids from the Committee on Taxes to which was referred:

H. F. No. 30, A bill for an act relating to taxation; individual income; clarifying funding mechanism for the Minnesota Working Family Credit; amending Minnesota Statutes 2014, section 290.0671, subdivision 6a.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Dettmer from the Veterans Affairs Division to which was referred:

H. F. No. 146, A bill for an act relating to veterans; designating the Honor and Remember Flag as an official symbol of the state's commitment to military service members who have lost their lives in service to our country; encouraging display of the flag on certain days in certain public locations; proposing coding for new law in Minnesota Statutes, chapter 197.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 210, A bill for an act relating to health care; requiring a hospital to provide a patient the opportunity to designate a caregiver upon entry to the hospital; requiring a hospital to provide a discharge plan and aftercare instructions to a designated caregiver prior to discharge; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[144.6522] DESIGNATION OF A CAREGIVER.**

Subdivision 1. Definitions. For purposes of this section:

(a) "Aftercare" means any assistance provided to a patient in the patient's residence by a caregiver designated by the patient in accordance with this section after the patient's discharge from a hospital. Assistance may include, but is not limited to, assisting with basic activities of daily living (ADLs), instrumental activities of daily living (IADLs), or carrying out medical or nursing tasks, such as managing wound care, assisting in administering medications, and operating medical equipment.

(b) "Agent" means a court appointed guardian, the parent of a minor child whose authority to act on behalf of the patient as to health care decisions has not been restricted by the court, or a health agent authorized to act on behalf of the patient under chapter 145C.

(c) "Designated caregiver" means any individual 18 years of age or older who is designated as a caregiver by a patient to provide aftercare assistance to the patient in the patient's residence after the patient's discharge from a hospital and who, in the professional opinion of the patient's health care provider, is capable of providing aftercare assistance. A designated caregiver may include, but is not limited to, a relative, partner, friend, or neighbor who has a relationship with the patient.

(d) "Discharge" means a patient's exit or release from a hospital to the patient's residence following an inpatient admission.

(e) "Entry" means a patient's admission to a hospital for the purposes of inpatient medical care.

(f) "Hospital" means a facility licensed under sections 144.50 to 144.56.

(g) "Residence" means a dwelling that the patient considers to be the patient's home. For the purposes of this section, a residence does not include a rehabilitation facility, hospital, nursing facility, or other health care or residential facility where health care staff are responsible for performing necessary medical and nursing tasks for the patient.

Subd. 2. Opportunity to designate a caregiver. (a) A hospital shall provide each patient or, if applicable, the patient's agent with an opportunity to designate at least one caregiver no later than 24 hours upon the patient's entry into a hospital and before the patient is discharged from the hospital or transferred to another health care facility. If the patient is unconscious or otherwise incapacitated upon entry into the hospital, the hospital shall provide the patient or the patient's agent with an opportunity to designate a caregiver within 24 hours following the patient's recovery of consciousness or capacity.

(b) If the patient or the patient's agent designates an individual as a caregiver, the hospital shall record the patient's designation of caregiver, the relationship of the designated caregiver to the patient, and the name, telephone number, and address of the patient's designated caregiver in the patient's medical record. If the patient or the patient's agent declines to designate a caregiver, the hospital shall document this in the patient's medical record.

(c) If the patient designates a caregiver, the hospital shall be deemed to have obtained the written consent of the patient to release medical information to the designated caregiver following the hospital's established procedures for releasing personal health information and in compliance with all federal and state laws. The patient or the patient's agent may revoke prior consent to release medical information to the designated caregiver at any time and if consent is revoked, the hospital is not required to provide notice to the designated caregiver under subdivision 3 or provide information contained in the patient's discharge plan under subdivision 4.

(d) A patient may elect to change their designated caregiver at any time, and the hospital shall record the change in the patient's medical record within 24 hours.

(e) A designation of a caregiver by a patient or a patient's agent does not obligate the designated caregiver to perform any aftercare tasks for the patient.

Subd. 3. Notice to designated caregiver. (a) A hospital shall notify, as soon as practicable, the patient's designated caregiver of the patient's discharge or transfer to another hospital or health care facility after the patient's health care provider issues a discharge or transfer order.

(b) Failure to contact a designated caregiver or failure of the designated caregiver to be present at the hospital to receive the discharge plan and aftercare instructions described in subdivision 4, shall not interfere with or delay the discharge or transfer of the patient so long as the hospital has made a good faith effort to contact the designated caregiver within a reasonable time period. The hospital shall document the efforts made to contact the designated caregiver in the patient's medical record.

(c) This subdivision shall not apply if the patient is transferred to another health care facility due to an emergency situation.

Subd. 4. Discharge plan and aftercare instructions to designated caregiver. (a) Prior to a patient's discharge from the hospital to the patient's residence, the hospital shall consult with the designated caregiver and the patient, and issue a discharge plan that describes the patient's aftercare needs and instructions for all aftercare tasks described in the discharge plan.

(b) At a minimum, a discharge plan must include:

(1) the name and contact information of the designated caregiver;

(2) a description of and instructions for all aftercare tasks necessary to maintain the patient's ability to reside at home, taking into account the capabilities and limitations of the designated caregiver;

(3) contact information for any health care, community resources, and long-term services and supports necessary to successfully carry out the patient's discharge plan; and

(4) contact information of a hospital representative who can respond to questions about the discharge plan and instructions that are required to be provided under this subdivision after the patient has been discharged.

(c) At a minimum, the instructions for aftercare tasks included in the discharge plan must include:

(1) a live demonstration or video instruction of the aftercare tasks performed by a hospital employee, or an individual with whom the hospital has a contractual relationship who has the appropriate education and competency in the task to be performed and is authorized to perform the task, in a culturally competent manner and in accordance with the hospital's requirements to provide language access services under state and federal law; and

(2) an opportunity for the designated caregiver and patient to ask questions about the aftercare tasks, and to provide answers to any questions in a culturally competent manner and in accordance with the hospital's requirements to provide language access services under state and federal law.

(d) The hospital shall document the discharge plan and a description of the instructions provided in the patient's medical record, including, at a minimum, the date, time, and content of the instructions provided.

Subd. 5. **Limitations.** (a) Nothing in this section shall be construed to create a separate private cause of action against a hospital, a hospital employee, or an individual with whom a hospital has a contractual relationship, or to otherwise supersede or replace existing duties, rights, or remedies under any other provision of state or federal law. This section does not establish a separate standard of care for use in an action against a hospital, health care facility, or health care provider.

(b) Nothing in this section shall be construed to require a patient or a patient's agent to designate a caregiver.

(c) Nothing in this section shall be construed to interfere with the powers of a health care agent operating under a valid health care directive in compliance with chapter 145C.

EFFECTIVE DATE. This section is effective January 1, 2016."

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 222, A bill for an act relating to data practices; classifying data related to automated license plate readers and requiring a governing policy; requiring a log of use; requiring data to be destroyed in certain circumstances; requiring an inventory of surveillance technology; requiring a report; amending Minnesota Statutes 2014, section 13.82, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 13; 626.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 13.82, subdivision 2, is amended to read:

Subd. 2. **Arrest data.** The following data created or collected by law enforcement agencies which document any actions taken by them to cite, arrest, incarcerate or otherwise substantially deprive an adult individual of liberty shall be public at all times in the originating agency:

- (a) time, date and place of the action;
- (b) any resistance encountered by the agency;
- (c) any pursuit engaged in by the agency;
- (d) whether any weapons were used by the agency or other individual;
- (e) the charge, arrest or search warrants, or other legal basis for the action;
- (f) the identities of the agencies, units within the agencies and individual persons taking the action;
- (g) whether and where the individual is being held in custody or is being incarcerated by the agency;

(h) the date, time and legal basis for any transfer of custody and the identity of the agency or person who received custody;

(i) the date, time and legal basis for any release from custody or incarceration;

(j) the name, age, sex and last known address of an adult person or the age and sex of any juvenile person cited, arrested, incarcerated or otherwise substantially deprived of liberty;

(k) whether the agency employed an automated license plate reader, wiretaps or other eavesdropping techniques, unless the release of this specific data would jeopardize an ongoing investigation;

(l) the manner in which the agencies received the information that led to the arrest and the names of individuals who supplied the information unless the identities of those individuals qualify for protection under subdivision 17; and

(m) response or incident report number.

Sec. 2. Minnesota Statutes 2014, section 13.82, is amended by adding a subdivision to read:

Subd. 31. **Use of surveillance technology.** Notwithstanding subdivision 25, and section 13.37, subdivision 2, the existence of all technology maintained by a law enforcement agency that may be used to electronically capture an audio, video, photographic, or other record of the activities of the general public, or of an individual or group of individuals, for purposes of conducting an investigation, responding to an incident or request for service, monitoring or maintaining public order and safety, or engaging in any other law enforcement function authorized by law is public data.

Sec. 3. **[13.824] AUTOMATED LICENSE PLATE READERS.**

Subdivision 1. **Definition.** As used in this section, "automated license plate reader" means government data derived from an automated reader that captures motor vehicle license plate numbers. Automated license plate reader includes a device that is owned or operated by a person who is not a government entity to the extent that data collected by the reader are shared with a law enforcement agency.

Subd. 2. **Data collection; classification; use restrictions.** (a) Data collected by an automated license plate reader must be limited to the following:

(1) license plate numbers;

(2) date, time, and location data on vehicles; and

(3) pictures of license plates, vehicles, and areas surrounding the vehicles.

Collection of any data not authorized by this paragraph is prohibited.

(b) All data collected by an automated license plate reader are private data on individuals or nonpublic data unless the data are public under section 13.82, subdivision 2, 3, or 6, or are active criminal investigative data under section 13.82, subdivision 7.

(c) Data collected from an automated license plate reader may only be matched with data in the Minnesota license plate data file, provided that a law enforcement agency may use additional sources of data for matching if the additional data relate to an active criminal investigation. A central state repository of automated license plate reader data is prohibited unless explicitly authorized by law.

(d) An automated license plate reader may not be used to target and track a person subject to an active criminal investigation unless authorized by a warrant, issued upon probable cause.

Subd. 3. Destruction of data required. (a) Notwithstanding section 138.17, and except as otherwise provided in this subdivision, data collected by an automated license plate reader that are not related to an active criminal investigation must be destroyed no later than 30 days from the date of collection.

(b) Upon written request from an individual who is the subject of a pending criminal charge or complaint, along with the case or complaint number and a statement that the data may be used as exculpatory evidence, data otherwise subject to destruction under paragraph (a) must be preserved by the law enforcement agency until the criminal charge or complaint is resolved or dismissed.

(c) Upon written request from a program participant under chapter 5B, automated license plate reader data related to the program participant must be destroyed at the time of collection or upon receipt of the request, whichever occurs later, unless the data are active criminal investigative data. The existence of a request submitted under this paragraph is private data on individuals.

(d) Data that are inactive criminal investigative data are subject to destruction according to the retention schedule for the data established under section 138.17.

Subd. 4. Sharing among law enforcement agencies. (a) Automated license plate reader data that are not related to an active criminal investigation may only be shared with, or disseminated to, another law enforcement agency upon meeting the standards for requesting access to data as provided in subdivision 7.

(b) If data collected by an automated license plate reader are shared with another law enforcement agency under this subdivision, the agency that receives the data must comply with all data classification, destruction, and security requirements of this section.

(c) Automated license plate reader data that are not related to an active criminal investigation may not be shared with, disseminated to, sold to, or traded with any other individual or entity unless explicitly authorized by this subdivision or other law.

Subd. 5. Log of use required. (a) A law enforcement agency that installs or uses an automated license plate reader must maintain a public log of its use, including but not limited to:

(1) specific times of day that the reader actively collected data;

(2) the aggregate number of vehicles or license plates on which data are collected for each period of active use;

(3) for each period of active use, the number of vehicles or license plates in each of the following categories where the data identify a vehicle or license plate that has been stolen, a warrant for the arrest of the owner of the vehicle or an owner with a suspended or revoked driver's license or similar category, or are active investigative data; and

(4) for a reader at a stationary or fixed location, the location at which the reader actively collected data and is installed and used.

(b) The law enforcement agency must maintain a list of the current and previous locations, including dates at those locations, of any fixed stationary automated license plate readers used by the agency. The agency's list must be accessible to the public, unless the agency determines that the data are security information as provided in section 13.37, subdivision 2. A determination that these data are security information is subject to in-camera judicial review as provided in section 13.08, subdivision 4.

Subd. 6. **Annual audit.** (a) In addition to the log required under subdivision 5, the law enforcement agency must maintain records showing the date and time automated license plate reader data were collected and the applicable classification of the data. The law enforcement agency shall arrange for an independent, annual audit of the records to determine whether data currently in the records are classified, how the data are used, whether they are destroyed as required under this section, and to verify compliance with subdivision 7. Data in the records required under this paragraph are classified as provided in subdivision 2.

(b) The results of the audit are public. A law enforcement agency determined to be in a pattern of substantial noncompliance with this section must immediately suspend operation of all automated license plate reader devices until such time as the legislature has authorized the agency, by law, to reinstate their use. An order of suspension under this paragraph shall be issued by the commissioner of administration, upon review of the results of the audit, review of the applicable provisions of this chapter, and after providing the agency a reasonable opportunity to respond to the audit's findings.

(c) A report summarizing the results of each audit must be provided to the commissioner of administration, to the chair and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over data practices and public safety issues, and to the Legislative Commission on Data Practices and Personal Data Privacy no later than 30 days following completion of the audit.

Subd. 7. **Authorization to access data.** (a) A law enforcement agency must comply with sections 13.05, subdivision 5, and 13.055 in the operation of automated license plate readers, and in maintaining automated license plate reader data.

(b) The responsible authority for a law enforcement agency must establish written procedures to ensure that law enforcement personnel have access to the data only if authorized in writing, on a case-by-case basis, by the chief of police, sheriff, or head of the law enforcement agency, or their designee, to obtain access to data collected by an automated license plate reader for a legitimate, specified, and documented law enforcement purpose. Consistent with the requirements of paragraph (c), a request for access must be pertinent to an active criminal investigation, and must include a record of the factual basis for the request and any associated case number, complaint, or incident that is the basis for the request.

(c) The ability of authorized individuals to enter, update, or access automated license plate reader data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law.

Subd. 8. **Notification to Bureau of Criminal Apprehension.** (a) Within ten days of the installation or current use of an automated license plate reader, a law enforcement agency must notify the Bureau of Criminal Apprehension of that installation or use and of any fixed location of a stationary automated license plate reader.

(b) The Bureau of Criminal Apprehension must maintain a list of law enforcement agencies using automated license plate readers, including locations of any fixed stationary automated license plate readers. Except to the extent that the law enforcement agency determines that the location of a specific reader is security information, as defined in section 13.37, this list is accessible to the public and must be available on the bureau's Web site. A determination that the location of a reader is security information is subject to in-camera judicial review, as provided in section 13.08, subdivision 4.

EFFECTIVE DATE. This section is effective the August 1, 2015. Data collected before the effective date of this section must be destroyed, if required by this section, no later than 15 days after the date this section becomes effective.

Sec. 4. **[626.8472] AUTOMATED LICENSE PLATE READER POLICY.**

The chief law enforcement officer of every state and local law enforcement agency that maintains an automated license plate reader shall establish and enforce a written policy governing use of the reader. Use of an automated license plate reader without adoption of a written policy under this section is prohibited. At a minimum, the policies and procedures must incorporate the requirements of section 13.824, and the employee discipline standards for unauthorized access to data contained in section 13.09.

EFFECTIVE DATE. This section is effective August 1, 2015, provided that chief law enforcement officers shall adopt the policy required under this section no later than January 15, 2016."

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "technology;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 233, A bill for an act relating to civil commitment; clarifying the alternative to use of interactive video conference in civil commitment hearings; amending Minnesota Statutes 2014, sections 253B.08, subdivision 2a; 253B.12, subdivision 2a; 253D.28, subdivision 2.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 243, A bill for an act relating to transportation; establishing purple heart designation on driver's licenses and Minnesota identification cards; providing for state park permits; amending Minnesota Statutes 2014, sections 85.053, by adding a subdivision; 171.07, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources Policy and Finance.

The report was adopted.

Anderson, S., from the Committee on State Government Finance to which was referred:

H. F. No. 327, A bill for an act proposing an amendment to the Minnesota Constitution, article I, section 10; providing that the right of citizens to be secure from unreasonable searches and seizures includes protection against unreasonable searches and seizures of electronic communications and data.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 506, A bill for an act relating to health licensing; providing temporary licensing for former and current members of the military; amending Minnesota Statutes 2014, sections 148.57, by adding a subdivision; 148.624, subdivision 5; 148B.33, by adding a subdivision; 148B.53, by adding a subdivision; 148B.5301, by adding a subdivision; 148F.025, by adding a subdivision; 153.16, subdivisions 1, 4; 154.003; 154.11, subdivision 3.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 682, A bill for an act relating to economic development; destination medical center; modifying the definition of public infrastructure; clarifying the local matching contribution; amending Minnesota Statutes 2014, sections 469.40, subdivision 11, as amended; 469.45, subdivisions 1, 2; 469.47, subdivision 4, as amended.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 683, A bill for an act relating to agriculture; providing for the development and regulation of an industrial hemp industry; authorizing industrial hemp research; requiring rulemaking; providing a defense for possession of industrial hemp; modifying the definitions of marijuana and wild hemp; appropriating money; amending Minnesota Statutes 2014, sections 18J.01; 18J.02; 18J.03; 18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.09; 18J.11, subdivision 1, by adding a subdivision; 152.01, subdivision 9; 375.30, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 18K.

Reported the same back with the following amendments:

Page 6, line 19, after "basis." insert "Industrial hemp is not marijuana as defined in section 152.01, subdivision 9."

Page 8, line 11, after "governing" insert "the production, testing, and licensing of industrial hemp"

Page 8, line 27, delete "and" and insert "or"

Page 8, delete section 28

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "definitions of marijuana and" and insert "definition of"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 688, A bill for an act relating to taxation; income; establishing a new markets tax credit program; requiring a report; appropriating money; amending Minnesota Statutes 2014, section 297I.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 116X.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 744, A bill for an act relating to state government; modifying standards for accountancy examinations and peer reviews; authorizing rulemaking; amending Minnesota Statutes 2014, sections 326A.01, subdivisions 2, 12, 13a, 15, 16; 326A.02, subdivisions 3, 5; 326A.05, subdivisions 1, 3; 326A.08, subdivision 7; 326A.10.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Erickson from the Committee on Education Innovation Policy to which was referred:

H. F. No. 809, A bill for an act relating to rural workforce development; providing for rural workforce system coordinators; requiring reports; appropriating money for rural workforce system coordinators; appropriating money for the Minnesota youth program; proposing coding for new law in Minnesota Statutes, chapter 116L.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Education Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1155, A bill for an act relating to data practices; providing for sharing of data within human services and health care systems; amending Minnesota Statutes 2014, sections 13.46, subdivisions 2, 7; 144.293, subdivision 5; 245.467, subdivision 6; 245.4876, subdivision 7.

Reported the same back with the following amendments:

Page 2, lines 1 to 3, delete the new language

Page 5, line 24, strike "or"

Page 5, line 27, strike the period and insert "; or"

Page 5, after line 27, insert:

"(31) to a health care provider governed by sections 144.291 to 144.298, to the extent necessary to coordinate services, provided that a health record may be disclosed only as provided under section 144.293."

Page 6, line 12, delete everything after "family" and insert "to the extent necessary to coordinate services, provided that a health record may be disclosed only as provided under section 144.293;"

Page 6, delete line 13

Page 6, before line 14, insert:

"(5) to a health care provider governed by sections 144.291 to 144.298, to the extent necessary to coordinate services, provided that a health record may be disclosed only as provided under section 144.293; or"

Page 6, line 14, delete "(5)" and insert "(6)"

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 1379, A bill for an act relating to labor and industry; occupational safety and health administration; repealing a requirement relating to platform manlifts; repealing Minnesota Rules, part 5205.0580, subpart 21.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Dettmer from the Veterans Affairs Division to which was referred:

H. F. No. 1420, A bill for an act relating to energy; providing factors to be considered in approving solar photovoltaic modules for a public utility solar project; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

Erickson from the Committee on Education Innovation Policy to which was referred:

H. F. No. 1428, A bill for an act relating to education; qualifying certain homeless children for early educational services; amending Minnesota Statutes 2014, section 125A.02, subdivision 1a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 125A.02, subdivision 1a, is amended to read:

Subd. 1a. **Children ages under age three through seven experiencing developmental delays.** In addition, "child with a disability" includes every child under age three, ~~and at local district discretion from age three to age seven,~~ who needs special instruction and services, as determined by the rules of the commissioner, because the child:

(1) has a substantial delay or;

(2) has ~~an identifiable~~ certain diagnosed physical or mental condition known to hinder normal development is a child with a disability conditions with a high probability of resulting in a delay, regardless of whether the child is currently demonstrating a need or delay; or

(3) may develop an identifiable condition because the child is homeless.

Sec. 2. Minnesota Statutes 2014, section 125A.02, is amended by adding a subdivision to read:

Subd. 1b. **Children ages three through seven experiencing developmental delays.** In addition, "child with a disability" includes, at local discretion, every child from age three to age seven who needs special instruction and services, as determined by the rules of the commissioner, because the child:

(1) has a substantial delay; or

(2) has certain diagnosed physical or mental conditions with a high probability of resulting in a delay, regardless of whether the child is currently demonstrating a need or delay.

Sec. 3. **APPROPRIATION; HOMELESSNESS.**

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Homelessness.** For the department to provide training on homelessness and its associated experiences:

<u>\$50,000</u>	<u>2016</u>
<u>\$50,000</u>	<u>2017</u>

The department must provide training to Part C early intervention staff members at the state and school district levels and interagency early intervention committees. Any balance in the first year does not cancel but is available in the second year."

Delete the title and insert:

"A bill for an act relating to education; qualifying certain homeless children for early educational services; appropriating money; amending Minnesota Statutes 2014, section 125A.02, subdivision 1a, by adding a subdivision."

With the recommendation that when so amended the bill be re-referred to the Committee on Education Finance.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 1450, A bill for an act relating to transportation; establishing a small cities assistance program; proposing coding for new law in Minnesota Statutes, chapter 162.

Reported the same back with the following amendments:

Page 1, after line 22, insert:

"(d) A city that receives funds under this section shall include financial information regarding the funds in its reporting and financial statements provided under sections 6.74 to 6.75, 471.697, and 471.698, which must affirm use of the funds for permissible purposes."

Page 2, line 12, before "In" insert "(a)"

Page 2, lines 14 and 17, delete "50" and insert "35"

Page 2, line 16, delete "and"

Page 2, line 19, delete the period and insert "; and"

Page 2, after line 19, insert:

"(3) 30 percent of funds allocated proportionally based on each city's share of state-aid adjustment factor compared to the sum of state-aid adjustment factors of all cities eligible to receive funds under this section.

(b) For purposes of this subdivision, "state-aid adjustment factor" means the greater of zero, or:

(1) 0.005; minus

(2) the number of lane miles of county state-aid highway in a city, divided by the total number of lane miles of county state-aid highway in all cities eligible to receive funds under this section."

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1470, A bill for an act relating to the secretary of state; regulating business fees and filings; amending Minnesota Statutes 2014, sections 272.484; 303.19; 304A.301, subdivisions 1, 5, 6, by adding a subdivision; 336A.09, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 1478, A bill for an act relating to taxation; sales and use; modifying the base of the metropolitan area sales tax; amending Minnesota Statutes 2014, section 297A.992, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1535, A bill for an act relating to human services; providing for human services policy modifications relating to children and family services, chemical and mental health services, direct care and treatment, operations, health care, and continuing care; making changes to child care assistance programs, home and community-based services standards, medical assistance, the alternative care program, Northstar Care for Children, children's therapeutic services and supports, human services licensing provisions, and the community first services and supports program; modifying requirements for background studies; extending a council; modifying the Minnesota Indian Family Preservation Act; making changes to provisions governing child out-of-home placement; modifying reporting requirements for maltreatment of children and vulnerable adults; making technical changes; requiring reports; modifying requirements for administrative sanctions and hearings; authorizing rulemaking; providing criminal penalties; amending Minnesota Statutes 2014, sections 119B.011, subdivision 16; 119B.025, subdivision 1; 119B.09, subdivision 9; 119B.125, subdivisions 1, 6, by adding subdivisions; 144.0724, subdivision 12; 148E.065, subdivision 4a; 168.012, subdivision 1; 245.462, subdivision 4; 245A.02, subdivision 13, by adding subdivisions; 245A.035, subdivisions 1, 5; 245A.04, subdivision 15a; 245A.07, subdivisions 2, 2a; 245A.11, subdivision 4; 245A.12; 245A.13; 245A.16, subdivision 1; 245A.175; 245A.192, subdivision 3, by adding a subdivision; 245A.40, subdivisions 3, 4, 5; 245C.02, subdivision 2; 245C.04, subdivisions 4, 5, 6; 245C.05, subdivision 1; 245C.07; 245C.09, subdivision 1; 245C.10, by adding a subdivision; 245C.20, subdivision 2, by adding a subdivision; 245C.22, subdivision 7; 245D.10, subdivision 3; 245E.01, subdivision 8, by adding a subdivision; 245E.02, subdivisions 1, 4, by adding a subdivision; 245E.06, subdivisions 2, 3; 253B.212, subdivision 2, by adding a

subdivision; 254B.05, subdivisions 1, 5; 256.01, subdivisions 4, 14b; 256.045, subdivisions 3, 6; 256.046, subdivision 1; 256.975, subdivision 7; 256B.0625, subdivision 31, by adding a subdivision; 256B.0911, subdivisions 1a, 2b, 3, 3a; 256B.0913, subdivisions 4, 5, 5a, 6, 10, 11, 12, by adding a subdivision; 256B.0943, subdivisions 1, 2, 3, 4, 5, 6, 9, 11; 256B.0946, subdivision 1; 256B.0947, subdivision 7a; 256B.85; 256N.02, subdivision 18; 256N.23, subdivision 6; 257.85, subdivision 3; 259A.01, subdivision 25; 259A.10, subdivision 6; 260.755, subdivisions 8, 14, by adding subdivisions; 260.761, subdivisions 1, 2; 260.771, subdivision 3; 260B.007, subdivision 12; 260C.007, subdivision 27, by adding a subdivision; 260C.168; 260C.178, subdivision 1; 260C.201, subdivision 5; 260C.212, subdivisions 1, 2; 260C.511; 402A.12; 402A.16, subdivisions 2, 4; 402A.18; 471.346; 609.821; 626.556, subdivisions 7, 10, 11d; 626.557, subdivisions 9a, 9b, 10; 626.5572, subdivisions 5, 6, 21; Laws 2013, chapter 108, article 7, section 58; proposing coding for new law in Minnesota Statutes, chapters 245; 245A; 256; 256B; 260; 609; repealing Minnesota Statutes 2014, sections 245D.061, subdivision 3; 245E.07, subdivision 3; Minnesota Rules, parts 9505.0175, subpart 32; 9505.0365, subpart 2; 9505.1696, subpart 10; 9505.1709; 9535.2000; 9535.2100; 9535.2200; 9535.2300; 9535.2400; 9535.2500; 9535.2600; 9535.2700; 9535.2800; 9535.2900; 9535.3000; 9555.7400; 9555.7500.

Reported the same back with the following amendments:

Page 6, line 16, strike "The commissioner may authorize projects"

Page 6, strike line 17

Page 6, delete line 18

Page 6, lines 19 and 20, delete the new language and strike the old language

Page 6, line 21, strike everything before "The" and insert "The commissioner may authorize projects to use alternative methods of (1) investigating and assessing reports of child maltreatment, and (2) administrative reconsideration and judicial appeal of maltreatment determinations, provided the alternative methods used by the projects comply with the provisions of sections 256.045 and 626.556 dealing with the rights of individuals who are the subjects of reports or investigations, including notice and appeal rights and data practices requirements."

Page 8, line 25, strike "includes"

Page 8, line 26, before the first "a" insert "means" and strike "extended"

Page 8, line 29, before the period, insert ", paragraphs (2), (6), and (9)"

Page 10, line 15, strike "includes" and before "a" insert "means"

Page 10, line 16, strike "extended"

Page 10, line 20, before the period, insert ", paragraphs (2), (6), and (9)"

Page 13, line 31, strike ", upon request,"

Page 16, line 24, strike "includes" and before the first "a" insert "means"

Page 16, line 25, strike "extended"

Page 16, line 27, before the period, insert ", paragraphs (2), (6), and (9)"

Page 25, after line 34, insert:

"Sec. 31. Minnesota Statutes 2014, section 268.155, subdivision 1, is amended to read:

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

(1) "Child support obligations" means obligations that are being enforced by a child support agency in accordance with a plan described in United States Code, title 42, ~~section~~ sections 454 and 455, of the Social Security Act that has been approved by the secretary of health and human services under part D of title IV of the Social Security Act. This does not include any type of spousal maintenance or foster care payments; and

(2) "Child support agency" means the public agency responsible for child support enforcement, including federally approved comprehensive Tribal IV-D programs.

EFFECTIVE DATE. This section is effective October 15, 2015."

Page 26, delete section 31

Page 39, line 15, delete the new language

Page 39, after line 15, insert:

"(ii) be a certified peer specialist under section 256B.0615;"

Page 39, line 16, strike "(ii)" and insert "(iii)"

Page 39, line 17, strike "(iii)" and insert "(iv)"

Page 39, line 22, strike "(iv)" and insert "(v)"

Page 39, line 23, strike "(v)" and insert "(vi)"

Page 39, line 25, strike "(iv)" and insert "(v)"

Page 39, line 27, strike "(v)" and insert "(vi)"

Page 40, delete section 3

Page 43, line 23, delete "future"

Page 48, line 5, delete the new language

Page 48, delete lines 6 to 10

Page 54, line 18, delete "except as" and insert "unless"

Page 54, line 19, delete "foreshortened" and insert "shortened"

Page 76, before line 1, insert:

"Sec. 17. Minnesota Statutes 2014, section 245A.148, is amended to read:

245A.148 FAMILY CHILD CARE DIAPERING AREA DISINFECTION.

Notwithstanding Minnesota Rules, part 9502.0435, a family child care provider may disinfect the diaper changing surface with chlorine bleach in a manner consistent with label directions for disinfection or with a surface disinfectant that meets the following criteria:

(1) the manufacturer's label or instructions state that the product is registered with the United States Environmental Protection Agency;

(2) the manufacturer's label or instructions state that the disinfectant is effective against *Staphylococcus aureus*, *Salmonella choleraesuis enterica*, and *Pseudomonas aeruginosa*;

(3) the manufacturer's label or instructions state that the disinfectant is effective with a ten minute or less contact time;

(4) the disinfectant is clearly labeled by the manufacturer with directions for mixing and use;

(5) the disinfectant is used only in accordance with the manufacturer's directions; and

(6) the product does not include triclosan or derivatives of triclosan."

Page 77, after line 24, insert:

"Sec. 20. Minnesota Statutes 2014, section 245A.1915, is amended to read:

245A.1915 OPIOID ADDICTION TREATMENT EDUCATION REQUIREMENT FOR PROVIDERS LICENSED TO PROVIDE CHEMICAL DEPENDENCY TREATMENT SERVICES.

All programs servicing persons with substance use issues licensed by the commissioner must provide educational information concerning: treatment options for opioid addiction, including the use of a medication for the use of opioid addiction; and recognition of and response to opioid overdose and the use and administration of naloxone, to clients identified as having or seeking treatment for opioid addiction. The commissioner shall develop educational materials that are supported by research and updated periodically that must be used by programs to comply with this requirement."

Page 77, line 32, strike everything after "(3)"

Page 77, strike lines 33 and 34

Page 78, strike lines 1 and 2

Page 78, strike line 3 and insert "if the physician that issued the order is not able to sign the order when issued, the unsigned order must be entered in the client record at the time it was received, and the physician must review the documentation and sign the order in the client's record within 72 hours of the medication being ordered. The license holder must report to the commissioner any medication error that endangers a patient's health, as determined by the medical director."

Page 78, after line 3, insert:

"Sec. 22. Minnesota Statutes 2014, section 245A.192, is amended by adding a subdivision to read:

Subd. 3a. **High dose requirements.** A client being administered or dispensed a dose beyond that set forth in subdivision 5, paragraph (a), clause (1), that exceeds 150 milligrams of methadone or 24 milligrams of buprenorphine daily, and for each subsequent increase, must meet face-to-face with a prescribing physician. The meeting must occur before the administering or dispensing of the increased dose.

Sec. 23. Minnesota Statutes 2014, section 245A.192, subdivision 5, is amended to read:

Subd. 5. **Criteria for unsupervised use.** (a) To limit the potential for diversion of medication used for the treatment of opioid addiction to the illicit market, any such medications dispensed to patients for unsupervised use shall be subject to the following requirements:

(1) any patient in an opioid treatment program may receive a single take-home dose for a day that the clinic is closed for business, including Sundays and state and federal holidays; and

(2) treatment program decisions on dispensing medications used to treat opioid addiction to patients for unsupervised use beyond that set forth in clause (1) shall be determined by the medical director.

(b) ~~The medical director~~ A physician with authority to prescribe must consider the criteria in this subdivision in determining whether a client may be permitted unsupervised or take-home use of such medications. The criteria must also be considered when determining whether dispensing medication for a client's unsupervised use is appropriate to increase or to extend the amount of time between visits to the program. The criteria include:

(1) absence of recent abuse of drugs including but not limited to opioids, nonnarcotics, and alcohol;

(2) regularity of program attendance;

(3) absence of serious behavioral problems at the program;

(4) absence of known recent criminal activity such as drug dealing;

(5) stability of the client's home environment and social relationships;

(6) length of time in comprehensive maintenance treatment;

(7) reasonable assurance that take-home medication will be safely stored within the client's home; and

(8) whether the rehabilitative benefit the client derived from decreasing the frequency of program attendance outweighs the potential risks of diversion or unsupervised use.

(c) The determination, including the basis of the determination, must be consistent with the criteria in this subdivision and must be documented in the client's medical record.

Sec. 24. Minnesota Statutes 2014, section 245A.192, subdivision 10, is amended to read:

Subd. 10. **Nonmedication treatment services; documentation.** (a) The program must offer at least 50 consecutive minutes of individual or group therapy treatment services as defined in Minnesota Rules, part 9530.6430, subpart 1, item A, subitem (1), per week, for the first ten weeks following admission, and at least 50

consecutive minutes per month thereafter. As clinically appropriate, the program may offer these services cumulatively and not consecutively in increments of no less than 15 minutes over the required time period, and for a total of 60 minutes of treatment services over the time period, and must document the reason for providing services cumulatively in the client's record. The program may offer additional levels of service when deemed clinically necessary.

(b) Notwithstanding the requirements of comprehensive assessments in Minnesota Rules, part 9530.6422, the assessment must be completed within 21 days of service initiation.

(c) Notwithstanding the requirements of individual treatment plans set forth in Minnesota Rules, part 9530.6425:

(1) treatment plan contents for maintenance clients are not required to include goals the client must reach to complete treatment and have services terminated;

(2) treatment plans for clients in a taper or detox status must include goals the client must reach to complete treatment and have services terminated;

(3) for the initial ten weeks after admission for all new admissions, readmissions, and transfers, progress notes must be entered in a client's file at least weekly and be recorded in each of the six dimensions upon the development of the treatment plan and thereafter. Subsequently, the counselor must document progress no less than one time monthly, recorded in the six dimensions or when clinical need warrants more frequent notations; and

(4) upon the development of the treatment plan and thereafter, treatment plan reviews must occur weekly, or after each treatment service, whichever is less frequent, for the first ten weeks ~~of treatment for all new admissions, readmissions, and transfers~~ after the treatment plan is developed. Following the first ten weeks of ~~treatment~~, treatment plan reviews, reviews may occur monthly, unless the client has needs that warrant more frequent revisions or documentation.

Sec. 25. Minnesota Statutes 2014, section 245A.192, subdivision 11, is amended to read:

Subd. 11. **Prescription monitoring program.** ~~(a) Upon admission to a methadone clinic outpatient treatment program, clients shall be notified that the Department of Human Services and the medical director will monitor the prescription monitoring program to review the prescribed controlled drugs the clients have received. The medical director or the medical director's delegate must review data from the Minnesota Board of Pharmacy prescription monitoring program (PMP) established under section 152.126 prior to the client being ordered any controlled substance as defined under section 152.126, subdivision 1, paragraph (b), including medications used for the treatment of opioid addiction. The subsequent reviews of the PMP data must occur quarterly and be documented in the client's individual file. When the PMP data shows a recent history of multiple prescribers or multiple prescriptions for controlled substances, then subsequent reviews of the PMP data must occur monthly and be documented in the client's individual file. If, at any time, the medical director believes the use of the controlled substances places the client at risk of harm, the program must seek the client's consent to discuss the client's opioid treatment with other prescribers and must seek consent for the other prescriber to disclose to the opioid treatment program's medical director the client's condition that formed the basis of the other prescriptions. Additionally, any findings from the PMP data that are relevant to the medical director's course of treatment for the client must be documented in the client's individual file. A review of the PMP is not required for every medication dose adjustment. The program must develop and maintain a policy and procedure that requires the ongoing monitoring of the data from the prescription monitoring program for each client. The policy and procedure must include how the program will meet the requirements in paragraph (b).~~

(b) If a medication used for the treatment of opioid addiction is administered or dispensed to a client, the license holder shall be subject to the following requirements:

(1) upon admission to a methadone clinic outpatient treatment program, clients must be notified in writing that the commissioner of human services and the medical director will monitor the prescription monitoring program to review the prescribed controlled drugs the clients have received;

(2) the medical director or the medical director's delegate must review the data from the Minnesota Board of Pharmacy prescription monitoring program (PMP) established under section 152.126 prior to the client being ordered any controlled substance, as defined under section 152.126, subdivision 1, paragraph (c), including medications used for the treatment of opioid addiction, and subsequent reviews of the PMP data must occur at least every 90 days;

(3) a copy of the PMP data reviewed must be maintained in the client file;

(4) when the PMP data contains a recent history of multiple prescribers or multiple prescriptions for controlled substances, the physician's review of the data and subsequent actions must be documented in the client's individual file within 72 hours and must contain the medical director's determination of whether or not the prescriptions place the client at risk of harm and the actions to be taken in response to the PMP findings. In addition, the provider must conduct subsequent reviews of the PMP on a monthly basis; and

(5) if at any time the medical director believes the use of the controlled substances places the client at risk of harm, the program must seek the client's consent to discuss the client's opioid treatment with other prescribers and must seek consent for the other prescriber to disclose to the opioid treatment program's medical director the client's condition that formed the basis of the other prescriptions. If the information is not obtained within seven days, the medical director must document whether or not changes to the client's medication dose or number of take-home doses are necessary until the information is obtained.

(c) The commissioner shall collaborate with the Minnesota Board of Pharmacy to develop and implement an electronic system through which the commissioner shall routinely access the data from the Minnesota Board of Pharmacy prescription monitoring program established under section 152.126 for the purpose of determining whether any client enrolled in an opioid addiction treatment program licensed according to this section has also been prescribed or dispensed a controlled substance in addition to that administered or dispensed by the opioid addiction treatment program. When the commissioner determines there have been multiple prescribers or multiple prescriptions of controlled substances, the commissioner shall:

(1) inform the medical director of the opioid treatment program only that the commissioner determined the existence of multiple prescribers or multiple prescriptions of controlled substances; and

(2) direct the medical director of the opioid treatment program to access the data directly, review the effect of the multiple prescribers or multiple prescriptions, and document the review.

(e) (d) If determined necessary, the commissioner shall seek a federal waiver of, or exception to, any applicable provision of Code of Federal Regulations, title 42, section 2.34(c), prior to implementing this subdivision."

Page 78, delete lines 6 to 13 and insert:

"Subd. 15. **A program's duty to report suspected drug diversion.** (a) To the fullest extent permitted under Code of Federal Regulations, title 42, sections 2.1 to 2.67, a program shall report to law enforcement any credible evidence that the program or its personnel knows, or reasonably should know, that is directly related to a diversion crime on the premises of the program, or a threat to commit a diversion crime.

(b) "Diversion crime," for the purposes of this section, means diverting, attempting to divert, or conspiring to divert schedule I, II, III, or IV drugs, as defined in section 152.02, on the program's premises.

(c) The program must document its compliance with the requirement in paragraph (a) in either a client's record or an incident report.

(d) Failure to comply with the duty in paragraph (a) may result in sanctions as provided in sections 245A.06 and 245A.07."

Page 78, before line 14, insert:

"Sec. 27. Minnesota Statutes 2014, section 245A.192, is amended by adding a subdivision to read:

Subd. 16. **Variance.** The commissioner may grant a variance to the requirements of this section."

Page 78, line 20, delete everything after "(b)"

Page 78, delete lines 21 to 23 and insert "Notwithstanding paragraph (a), which allows 90 days to complete training, at least one staff person who has satisfactorily completed first aid training must be present at all times in the center, during field trips, and when transporting children in care."

Page 79, line 5, delete everything after "(b)"

Page 79, delete lines 6 to 9 and insert "Notwithstanding paragraph (a), which allows 90 days to complete training, at least one staff person who has satisfactorily completed cardiopulmonary resuscitation training must be present at all times in the center, during field trips, and when transporting children in care."

Page 84, delete section 30

Page 90, line 22, after "by" insert "and serving at the pleasure of"

Page 91, delete lines 22 and 23

Page 91, line 24, delete "(4)" and insert "(3)"

Page 91, line 26, delete "(5)" and insert "(4)"

Page 91, line 29, delete "(6)" and insert "(5)"

Page 93, line 28, delete everything after "(10)" and insert "emergency general assistance and emergency assistance."

Page 94, delete section 44 and insert:

"Sec. 50. Minnesota Statutes 2014, section 256B.0625, is amended by adding a subdivision to read:

Subd. 17b. **Documentation required.** (a) As a condition for payment, nonemergency medical transportation providers must document each occurrence of a service provided to a recipient according to this subdivision. Providers must maintain odometer and other records sufficient to distinguish individual trips with specific vehicles and drivers. The documentation may be maintained in an electronic or paper form but must be made available and produced upon request. Program funds paid for transportation that is not documented according to this subdivision shall be recovered by the department.

(b) A nonemergency medical transportation provider must compile transportation records that meet the following requirements:

(1) the record must be in English and must be legible according to the standard of a reasonable person;

(2) the recipient's name must be on each page of the record; and

(3) each entry in the record must document:

(i) the date on which the entry is made;

(ii) the date or dates the service is provided;

(iii) the printed last name, first name, and middle initial of the driver;

(iv) the signature of the driver attesting to the following: "I certify that I have accurately reported in this mileage log the miles I actually drove and the dates and times I actually drove them. I understand that misreporting the miles driven and hours worked is fraud for which I could face criminal prosecution or civil proceedings.";

(v) the signature of the recipient attesting to the following: "I certify that I received the reported transportation service.";

(vi) the description and address of both the origin and destination, and the mileage for the most direct route from the origin to the destination;

(vii) the mode of transportation in which the service is provided;

(viii) the license plate number of the vehicle used to transport the recipient;

(ix) whether the service was ambulatory or nonambulatory until the modes under subdivision 17 are implemented;

(x) the time of the pickup and the time of the drop-off with "a.m." and "p.m." designations;

(xi) the number of medical assistance occupants in the vehicle;

(xii) the name of the extra attendant when an extra attendant is used to provide special transportation service; and

(xiii) the electronic source documentation used to calculate driving directions and mileage."

Page 95, line 22, after the period, insert "Only qualified professional" and delete "not"

Page 95, line 24, delete ", for no"

Page 95, delete line 25

Page 95, line 26, delete everything before the period

Page 96, line 3, after "system" insert "or other methods" and delete "verifies" and insert "verify"

Page 101, line 14, delete "felony" and insert "crime" and delete everything after "sentenced" and insert "as provided in section 609.52, subdivision 3, clauses (1) to (5)"

Page 101, line 15, delete everything before the third comma

Page 101, line 22, after the first comma, insert "in order to obtain child care assistance program funds."

Page 101, line 24, delete everything after "effective" and insert "August 1, 2015."

Page 105, line 5, delete everything after "effective" and insert "August 1, 2015."

Page 107, line 27, strike "(a)"

Page 108, lines 1 and 3, strike the old language

Page 108, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 2014, section 245D.10, subdivision 3, is amended to read:

Subd. 3. **Service suspension ~~and service termination~~.** (a) The license holder must establish policies and procedures for temporary service suspension ~~and service termination~~ that promote continuity of care and service coordination with the person and the case manager and with other licensed caregivers, if any, who also provide support to the person. The policy must include the requirements specified in paragraphs (b) to (f).

(b) The license holder must limit temporary service suspension to situations in which:

(1) the person's conduct poses an imminent risk of physical harm to self or others and either positive support strategies have been implemented to resolve the issues leading to the temporary service suspension but have not been effective and additional positive support strategies would not achieve and maintain safety, or less restrictive measures would not resolve the issues leading to the suspension;

(2) the person has emergent medical issues that exceed the license holder's ability to meet the person's needs; or

(3) the program has not been paid for services.

(c) Prior to giving notice of temporary service suspension, the license holder must document actions taken to minimize or eliminate the need for service suspension. Action taken by the license holder must include, at a minimum:

(1) consultation with the person's support team or expanded support team to identify and resolve issues leading to issuance of the notice; and

(2) a request to the case manager for intervention services identified in section 245D.03, subdivision 1, paragraph (c), clause (1), or other professional consultation or intervention services to support the person in the program. This requirement does not apply to temporary suspensions issued under paragraph (b), clause (3).

If, based on the best interests of the person, the circumstances at the time of the notice were such that the license holder was unable to take the action specified in clauses (1) and (2), the license holder must document the specific circumstances and the reason for being unable to do so.

~~(b)~~ (d) The policy notice of temporary service suspension must include meet the following requirements:

(1) the license holder must notify the person or the person's legal representative and case manager in writing of the intended ~~termination or temporary service suspension, and the person's right to seek a temporary order staying the termination of service according to the procedures in section 256.045, subdivision 4a, or 6, paragraph (e).~~ If the temporary service suspension is from residential supports and services as defined in section 245D.03, subdivision 1, paragraph (c), clause (3), the license holder must also notify the commissioner in writing;

~~(2) notice of the proposed termination of services, including those situations that began with a temporary service suspension, must be given at least 60 days before the proposed termination is to become effective when a license holder is providing intensive supports and services identified in section 245D.03, subdivision 1, paragraph (c), and 30 days prior to termination for all other services licensed under this chapter. This notice may be given in conjunction with a notice of temporary service suspension;~~

~~(3)~~ notice of temporary service suspension must be given on the first day of the service suspension; and

~~(3)~~ the notice must include the reason for the action, a summary of actions taken to minimize or eliminate the need for temporary service suspension as required under this paragraph, and why these measures failed to prevent the suspension.

~~(e)~~ During the temporary suspension period, the license holder must:

~~(4) the license holder must (1) provide information requested by the person or case manager when services are temporarily suspended or upon notice of termination;~~

~~(5) prior to giving notice of service termination or temporary service suspension, the license holder must document actions taken to minimize or eliminate the need for service suspension or termination;~~

~~(6) during the temporary service suspension or service termination notice period, the license holder must (2) work with the support team or expanded support team to develop reasonable alternatives to protect the person and others and to support continuity of care; and~~

~~(7) the license holder must (3) maintain information about the service suspension ~~or termination~~, including the written ~~termination~~ notice of temporary service suspension, in the service recipient record; ~~and~~~~

~~(8) the license holder must restrict temporary service suspension to situations in which the person's conduct poses an imminent risk of physical harm to self or others and less restrictive or positive support strategies would not achieve and maintain safety.~~

(f) If, based on a review by the person's support team or expanded support team, that team determines the person no longer poses an imminent risk of physical harm to self or others, the person has a right to return to receiving services. If, at the time of the service suspension or at any time during the suspension, the person is receiving treatment related to the conduct that resulted in the service suspension, the support team or expanded support team must consider the recommendation of the licensed health professional, mental health professional, or other licensed professional involved in the person's care or treatment when determining whether the person no longer poses an imminent risk of physical harm to self or others and can return to the program. If the support team or expanded support team makes a determination that is contrary to the recommendation of a licensed professional treating the person, the license holder must document the specific reasons why a contrary decision was made.

Sec. 4. Minnesota Statutes 2014, section 245D.10, is amended by adding a subdivision to read:

Subd. 3a. **Service termination.** (a) The license holder must establish policies and procedures for service termination that promote continuity of care and service coordination with the person and the case manager and with other licensed caregivers, if any, who also provide support to the person. The policy must include the requirements specified in paragraphs (b) to (f).

(b) The license holder must permit each person to remain in the program and must not terminate services unless:

(1) the termination is necessary for the person's welfare and the person's needs cannot be met in the facility;

(2) the safety of the person or others in the program is endangered and positive support strategies were attempted and have not achieved and effectively maintained safety for the person or others;

(3) the health of the person or others in the program would otherwise be endangered;

(4) the program has not been paid for services;

(5) the program ceases to operate; or

(6) the person has been terminated by the lead agency from waiver eligibility.

(c) Prior to giving notice of service termination, the license holder must document actions taken to minimize or eliminate the need for termination. Action taken by the license holder must include, at a minimum:

(1) consultation with the person's support team or expanded support team to identify and resolve issues leading to issuance of the notice; and

(2) a request to the case manager for intervention services identified in section 245D.03, subdivision 1, paragraph (c), clause (1), or other professional consultation or intervention services to support the person in the program. This requirement does not apply to notices of service termination issued under paragraph (b), clause (4).

If, based on the best interests of the person, the circumstances at the time of the notice were such that the license holder was unable to take the action specified in clauses (1) and (2), the license holder must document the specific circumstances and the reason for being unable to do so.

(d) The notice of service termination must meet the following requirements:

(1) the license holder must notify the person or the person's legal representative and the case manager in writing of the intended service termination. If the service termination is from residential supports and services as defined in section 245D.03, subdivision 1, paragraph (c), clause (3), the license holder must also notify the commissioner in writing; and

(2) the notice must include:

(i) the reason for the action;

(ii) except for a service termination under paragraph (b), clause (5), a summary of actions taken to minimize or eliminate the need for service termination or temporary service suspension as required under paragraph (c), and why these measures failed to prevent the termination or suspension;

(iii) the person's right to appeal the termination of services under section 256.045, subdivision 3, paragraph (a); and

(iv) the person's right to seek a temporary order staying the termination of services according to the procedures in section 256.045, subdivision 4a or 6, paragraph (c).

(e) Notice of the proposed termination of service, including those situations that began with a temporary service suspension, must be given at least 60 days prior to termination when a license holder is providing intensive supports and services identified in section 245D.03, subdivision 1, paragraph (c), and 30 days prior to termination for all other services licensed under this chapter. This notice may be given in conjunction with a notice of temporary service suspension under subdivision 3.

(f) During the service termination notice period, the license holder must:

(1) work with the support team or expanded support team to develop reasonable alternatives to protect the person and others and to support continuity of care;

(2) provide information requested by the person or case manager; and

(3) maintain information about the service termination, including the written notice of intended service termination, in the service recipient record."

Page 111, line 23, delete "3" and insert "3a"

Page 112, line 16, delete "3" and insert "3a" and delete "(c)" and insert "(b)"

Page 112, line 17, delete "3" and insert "3a" and delete "(d), clause (5)" and insert "(c)" and after the period, insert "If the appeal includes a request for a temporary stay of termination of services, the scope of the hearing shall also include whether the county agency has finalized arrangements for a residential facility, a program, or services that will meet the assessed needs of the recipient by the effective date of the service termination."

Page 113, line 19, strike everything after "pending"

Page 113, line 20, strike the old language and delete "or"

Page 113, delete lines 21 to 31 and insert:

"(2) for the period of time necessary for the county agency to implement the commissioner's order; or

(3) for appeals under subdivision 3, paragraph (a), clause (12), when the individual is seeking a temporary stay of demission on the basis that the county has not yet finalized an alternative arrangement for a residential facility, a program, or services that will meet the assessed needs of the individual by the effective date of the service termination, a temporary stay of demission may be issued for no more than 30 calendar days to allow for such arrangements to be finalized."

Page 125, line 29, delete ", education," and insert "and education"

Page 125, line 30, delete the new language

Page 125, after line 30, insert:

"(15) coaching and counseling;"

Page 125, line 31, strike "(15)" and insert "(16)"

Page 125, line 33, strike "(16)" and insert "(17)"

Page 126, line 3, strike "(17)" and insert "(18)"

Page 126, line 4, strike "(18)" and insert "(19)"

Page 127, delete lines 6 to 9 and insert:

"(d) Alternative care covers sign language interpreter services and spoken language interpreter services for recipients eligible for alternative care when the services are necessary to help deaf and hard-of-hearing recipients or recipients with limited English proficiency obtain covered services. Coverage for face-to-face spoken language interpreter services shall be provided only if the spoken language interpreter used by the enrolled health care provider is listed in the registry or roster established under section 144.058."

Page 132, line 23, strike "contractor" and insert "provider"

Page 134, line 1, strike "services" and insert "service"

Page 134, line 25, strike "contractor or vendor" and insert "provider" and strike "contractor" and insert "provider"

Page 134, line 27, strike "has a written contract" and insert "is an enrolled provider"

Page 135, lines 35 and 36, delete the new language

Page 138, lines 15 and 33, strike "contractor" and insert "provider"

Page 138, line 31, strike "services" and insert "service"

Page 139, line 4, strike "contractor" and insert "provider"

Page 139, line 36, strike "services" and insert "service" and strike "supports" and insert "support"

Page 140, line 3, strike "contractor" and insert "provider"

Page 141, line 21, strike "contractor" and delete the new language

Page 141, line 22, strike "under contract" and insert "provider as defined under subdivision 13a, that is an enrolled provider"

Page 145, line 16, strike "contractor" and insert "provider"

Page 145, line 18, strike "contractors"

Page 145, line 19, before "identified" insert "providers"

Page 146, line 7, strike "contractors" and insert "providers"

Page 147, line 14, strike "contractor" and insert "provider"

Page 147, line 18, after "plan" insert "as identified in subdivision 18a, paragraph (c), clause (4)"

Page 152, line 25, strike "contractor" and before the period, insert "provider"

Page 153, line 24, delete the new language and strike the old language

Page 153, strike line 25 and insert:

"(b) Agency-provider services shall not be provided by the FMS provider."

Page 153, line 26, strike "contractor" and insert "provider"

Page 154, line 2, strike "in the contract with" and insert "by"

Page 154, lines 5, 11, and 35, strike "contractor" and insert "provider"

Page 154, line 6, strike the second "for"

Page 154, line 7, strike "agency-provider participants"

Page 154, line 8, delete "contractor" and insert "provider"

Page 155, line 4, strike "contractor" and insert "provider"

Page 155, line 6, strike "contractor" and insert "provider" and strike "contractors" and insert "providers"

Page 155, line 8, strike "contractors" and insert "providers"

Page 155, lines 22 and 24, delete "contractor" and insert "provider"

Page 155, line 26, after the semicolon, insert "and"

Page 155, line 28, delete "; and" and insert a period

Page 155, delete line 29

Page 156, line 1, delete "contractor or vendor" and insert "provider" and delete "under contract" and insert "enrolled"

Page 156, line 2, delete "community"

Page 156, line 3, delete "and services" and insert "coordinated service and" and delete "contractor" and insert "provider"

Page 156, line 4, delete "vendors" and insert "providers"

Page 156, lines 5 and 10, delete "contractor" and insert "provider"

Page 156, line 26, delete "and"

Page 156, line 32, delete the period and insert "; and"

Page 156, after line 32, insert:

"(9) participating in the evaluation of CFSS services."

Page 157, lines 26, 27, and 35, delete "contractor" and insert "provider"

Page 158, line 7, after "for" insert "the"

Page 158, line 10, delete "contractor" and insert "provider"

Page 160, lines 3, 8, 9, 12, and 14, strike "contractor" and insert "provider"

Page 160, line 29, delete "contractors" and insert "providers"

Page 161, line 5, delete "contractor" and insert "provider"

Page 161, line 19, strike "contractor" and insert "provider"

Page 162, line 4, strike "contractor" and before the second comma, insert "provider"

Page 162, line 18, strike "contractor" and insert "provider"

Page 163, line 6, after "plan" insert a semicolon and after "and" insert "evaluate the support worker"

Page 164, line 19, delete "must" and strike "include" and delete "that explains" and insert "must explain"

Page 166, line 13, after "agency-provider" insert "or through an FMS provider"

Page 166, line 14, delete "agency provider" and insert "agency-provider or through an FMS provider"

Page 166, line 17, after "agency-provider" insert "or FMS provider"

Page 166, line 18, after "agency-provider's" insert "or FMS provider's"

Page 166, line 19, delete "as required by subdivision 12a" and after "agency-provider" insert "or FMS provider"

Page 166, line 25, after "agency-provider" insert "or FMS provider" and after "agency-provider's" insert "or FMS provider's"

Page 167, line 26, strike "contractor's" and insert "provider's"

Page 167, line 29, after "enrollment" insert "or FMS provider's enrollment"

Page 167, line 30, strike "FMS contract" and delete "or"

Page 167, line 33, delete "contractors" and insert "providers"

Page 167, line 36, delete "contractor" and insert "provider"

Page 168, line 18, after "services" insert "or FMS providers"

Page 168, line 19, delete "20a" and insert "20c"

Page 168, lines 22, 24, 27, 28, 29, 32, 34, and 35, after "agency-provider" insert "or FMS provider"

Page 169, line 1, after "agency-provider" insert "or FMS provider"

Page 169, line 4, delete "contractors" and insert "providers"

Page 169, line 5, delete "contractors" and insert "providers"

Page 169, line 13, after "owners" insert "and"

Page 170, line 1, delete "Licensure" and insert "Oversight"

Page 170, line 3, delete "a plan to implement licensure" and insert "recommendations for the oversight"

Page 170, line 12, before "adult" insert "emergency"

Page 170, line 25, after "for" insert "emergency adult"

Page 171, line 4, after "for" insert "emergency"

Page 171, line 24, before "adult" insert "emergency" and delete "makes a referral to" and insert "requests assistance from"

Page 173, line 8, strike "to serve adults"

Page 173, line 13, delete "and" and insert "or"

Page 173, line 32, strike "sections" and insert "section"

Page 173, line 33, delete "and" and insert "or"

Page 175, line 12, delete "section" and insert "sections" and delete ", is" and insert "; and 256B.0911, subdivision 6a, are"

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 1549, A bill for an act relating to labor and industry; making housekeeping changes to the Construction Codes and Licensing Division; removing obsolete, redundant, and unnecessary laws and rules; making conforming changes; amending Minnesota Statutes 2014, sections 326B.082, subdivision 11; 326B.092, subdivisions 3, 7; 326B.094, subdivisions 2, 3; 326B.098, by adding a subdivision; 326B.106, subdivisions 4, 7; 326B.109, subdivision 2; 326B.135, subdivision 4; 326B.139; 326B.164, subdivision 8; 326B.184, subdivision 2; 326B.194; 326B.33, subdivisions 6, 15; 326B.37, subdivision 11; 326B.46, subdivisions 1b, 2; 326B.49, subdivision 3; 326B.56, subdivision 1; 326B.701, subdivision 3; 326B.811, subdivision 1; 326B.84; 326B.86, subdivision 1; 326B.921, subdivision 5; 326B.99, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2014, sections 16C.0745; 326B.091, subdivision 6; 326B.106, subdivision 10; 326B.169; 326B.181; 471.465; 471.466; 471.467; 471.468.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Anderson, P., from the Committee on Agriculture Policy to which was referred:

H. F. No. 1554, A bill for an act relating to agriculture; making policy and technical changes to various agriculture related provisions, including provisions related to loans, pesticides, fertilizer, soil amendment, plant amendment, registrations, agricultural chemicals, seeds, grain storage, and food; modifying fees; repealing agricultural growth, research, and innovation program sunset; amending Minnesota Statutes 2014, sections 17.03, subdivision 11a; 17.117, subdivision 11; 18B.37, subdivisions 2, 3, 4; 18B.38, subdivision 1; 18C.235, subdivision 1; 18C.411, by adding a subdivision; 18D.201, subdivision 6; 21.81, by adding subdivisions; 21.82, subdivisions 2, 4; 21.85, subdivision 2, by adding a subdivision; 21.87; 21.89, subdivision 2; 21.891, subdivisions 2, 5; 34A.11; 232.22, subdivision 5; repealing Minnesota Statutes 2014, sections 18C.235, subdivision 2; 41A.12, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 17.03, subdivision 11a, is amended to read:

Subd. 11a. **Permitting efficiency goal and report.** (a) It is the goal of the Department of Agriculture that environmental and resource management permits be issued or denied within 150 days of the submission of a completed permit application. The commissioner of agriculture shall establish management systems designed to achieve the goal.

(b) The commissioner shall prepare ~~semiannual~~ an annual permitting efficiency ~~reports~~ report that ~~include~~ includes statistics on meeting the goal in paragraph (a). ~~The reports are~~ report is due February 1 ~~and August 1~~ of each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal, steps that will be taken to complete action on the application, and the expected timeline. In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from initial submission of the application to the day of determination that the application is complete. ~~The report for the final quarter of the fiscal year~~ must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the department Web site and submitted to the governor and the chairs of the house of representatives and senate committees having jurisdiction over agriculture policy and finance.

(c) The commissioner shall allow electronic submission of environmental review and permit documents to the department.

Sec. 2. Minnesota Statutes 2014, section 17.117, subdivision 11, is amended to read:

Subd. 11. **Loans issued to borrower.** (a) Local lenders may issue loans only for projects that are approved and certified by the local government unit as meeting priority needs identified in a comprehensive water management plan or other local planning documents, are in compliance with accepted practices, standards, specifications, or criteria, and are eligible for financing under Environmental Protection Agency or other applicable guidelines.

(b) The local lender may use any additional criteria considered necessary to determine the eligibility of borrowers for loans.

(c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

(1) no loan to a borrower may exceed ~~\$100,000~~ \$200,000;

(2) no loan for a project may exceed ~~\$100,000~~ \$200,000; and

(3) no borrower shall, at any time, have multiple loans from this program with a total outstanding loan balance of more than ~~\$100,000~~ \$200,000.

(d) The maximum term length for projects in this paragraph is ten years.

(e) Fees charged at the time of closing must:

(1) be in compliance with normal and customary practices of the local lender;

(2) be in accordance with published fee schedules issued by the local lender;

(3) not be based on participation program; and

(4) be consistent with fees charged other similar types of loans offered by the local lender.

(f) The interest rate assessed to an outstanding loan balance by the local lender must not exceed three percent per year.

Sec. 3. Minnesota Statutes 2014, section 18B.055, subdivision 1, is amended to read:

Subdivision 1. **Compensation required.** (a) The commissioner ~~of agriculture~~ must compensate a person for an acute pesticide poisoning resulting in the death of bees or loss of bee colonies owned by the person, provided:

(1) the person who applied the pesticide cannot be determined;

(2) the person who applied the pesticide did so in a manner consistent with the pesticide product's label or labeling; or

(3) the person who applied the pesticide did so in a manner inconsistent with the pesticide product's label or labeling.

(b) Except as provided in this section, the bee owner is entitled to the fair market value of the dead bees and bee colonies losses as determined by the commissioner upon recommendation by academic experts and bee keepers. In any fiscal year, a bee owner must not be compensated for a claim that is less than \$100 or compensated more than \$20,000 for all eligible claims.

(c) To be eligible for compensation under this section, the bee owner must be registered with a commonly utilized pesticide registry program, as designated by the commissioner.

Sec. 4. Minnesota Statutes 2014, section 18B.065, subdivision 2a, is amended to read:

Subd. 2a. **Disposal site requirement.** (a) For agricultural waste pesticides, the commissioner must enter into a contract with a county or group of counties under a joint powers agreement for household hazardous waste disposal or designate a place in each county of the state that is available at least every other year for persons to dispose of unused portions of agricultural pesticides. The commissioner shall consult with the person responsible for solid waste management and disposal in each county not under contract to determine an appropriate location and to advertise each collection event. The commissioner may provide a collection opportunity in a county more frequently Additional collection events may be provided if the commissioner determines that a collection is additional collections are warranted.

(b) For nonagricultural waste pesticides, the commissioner must provide a disposal opportunity each year in each county or enter into a contract with a county or group of counties under a joint powers agreement or contract for household hazardous waste disposal or designate a place that is available at least every other year for persons to dispose of unused portions of nonagricultural pesticides.

(c) As provided under subdivision 7, the commissioner may enter into cooperative agreements with local units of government to provide the collections required under paragraph (a) or (b) and shall provide a local unit of government, as part of the cooperative agreement, with funding for reasonable costs incurred including, but not limited to, related supplies, transportation, advertising, and disposal costs as well as reasonable overhead costs.

(d) A person who collects waste pesticide under this section shall, on a form provided or in a method approved by the commissioner, record information on each the actual or estimated weight of agricultural waste pesticide product products collected including, but not limited to, the quantity collected and either the product name and its active ingredient or ingredients or the United States Environmental Protection Agency registration number. The person must and submit this information to the commissioner at least annually by January 30.

Sec. 5. Minnesota Statutes 2014, section 18B.065, subdivision 7, is amended to read:

Subd. 7. **Cooperative agreements.** (a) The commissioner may enter into cooperative agreements with state agencies and local units of government for administration of the waste pesticide collection program. The commissioner shall ensure that the program is carried out in all counties provides collection opportunities statewide. If the commissioner cannot contract with another party to administer the program in a county, the commissioner shall perform collections according to the provisions of this section.

(b) The commissioner, according to the terms of a cooperative agreement between the commissioner and a local unit of government, may establish limits for unusual types or excessive quantities of waste pesticide offered by pesticide end users to the local unit of government.

Sec. 6. Minnesota Statutes 2014, section 18B.30, is amended to read:

18B.30 PESTICIDE USE LICENSE REQUIREMENT; INTERNET SALES PROHIBITED; RESTRICTED USE PESTICIDES.

(a) A person may not use a restricted use pesticide without a license or certification required under sections 18B.29 to 18B.35 and the use may only be done under conditions prescribed by the commissioner.

(b) A person shall not sell any pesticide labeled for restricted use over an Internet Web site to a Minnesota resident who is not a licensed or certified pesticide applicator. A person selling a pesticide labeled for restricted use over an Internet Web site to a Minnesota resident must verify that the purchaser is a licensed or certified pesticide applicator under sections 18B.29 to 18B.35.

Sec. 7. Minnesota Statutes 2014, section 18B.37, subdivision 2, is amended to read:

Subd. 2. **Commercial and noncommercial applicators.** (a) A commercial or noncommercial applicator, or the applicator's authorized agent, must maintain a record of pesticides used on each site. Noncommercial applicators must keep records of restricted use pesticides. The record must include the:

- (1) date of the pesticide use;
- (2) time the pesticide application was completed;
- (3) brand name of the pesticide, the United States Environmental Protection Agency registration number, and ~~dosage~~ rate used;
- (4) number of units treated;
- (5) temperature, wind speed, and wind direction;
- (6) location of the site where the pesticide was applied;
- (7) name and address of the customer;
- (8) name ~~and signature~~ of applicator, name of company, license number of applicator, and address of applicator company; and
- (9) any other information required by the commissioner.

(b) Portions of records not relevant to a specific type of application may be omitted upon approval from the commissioner.

(c) All information for this record requirement must be contained in a ~~single page~~ document for each pesticide application, except a map may be attached to identify treated areas. ~~For the rights of way and wood preservative categories, the required record may not exceed five pages.~~ An invoice containing the required information may constitute the required record. The commissioner shall make sample forms available to meet the requirements of this paragraph.

(d) The record must be completed no later than five days after the application of the pesticide.

~~(d)~~ (e) A commercial applicator must give a copy of the record to the customer.

~~(e)~~ (f) Records must be retained by the applicator, company, or authorized agent for five years after the date of treatment.

Sec. 8. Minnesota Statutes 2014, section 18B.37, subdivision 3, is amended to read:

Subd. 3. **Structural pest control applicators.** (a) A structural pest control applicator must maintain a record of each structural pest control application conducted by that person or by the person's employees. The record must include the:

- (1) date of structural pest control application;
- (2) target pest;
- (3) brand name of the pesticide, United States Environmental Protection Agency registration number, and amount used;
- (4) for fumigation, the temperature and exposure time;
- (5) time the pesticide application was completed;
- (6) name and address of the customer;
- (7) name ~~and signature~~ of structural pest control applicator~~;~~, name of company and address of applicator or company, ~~applicator's signature~~, and license number of applicator; and
- (8) any other information required by the commissioner.

(b) All information for this record requirement must be contained in a ~~single page~~ document for each pesticide application. An invoice containing the required information may constitute the record.

(c) The record must be completed no later than five days after the application of the pesticide.

~~(e)~~ (d) Records must be retained for five years after the date of treatment.

~~(d)~~ (e) A copy of the record must be given to a person who ordered the application that is present at the site where the structural pest control application is conducted, placed in a conspicuous location at the site where the structural pest control application is conducted immediately after the application of the pesticides, or delivered to the person who ordered an application or the owner of the site. The commissioner must make sample forms available that meet the requirements of this subdivision.

Sec. 9. Minnesota Statutes 2014, section 18B.37, subdivision 4, is amended to read:

Subd. 4. **Incident response plan.** A pesticide dealer, agricultural pesticide dealer, or a commercial, noncommercial, or structural pest control ~~business company or a person who is required to be permitted to store or produce bulk agricultural chemicals~~ must develop and maintain an incident response plan that describes the actions that will be taken to prevent and respond to ~~pesticide agricultural chemical~~ incidents. ~~The plan must contain the same information as forms provided by the commissioner~~ include information the commissioner deems necessary to respond to an agricultural chemical emergency incident. ~~The commissioner shall make sample incident response plan forms available.~~ The plan must be kept at a principal business site or location within this state and must be submitted to the commissioner upon request. The plan must be:

- (1) updated every three years, or whenever information on the form becomes out of date, whichever is earlier;
- (2) reviewed with employees at least once per calendar year and include documentation of training events; and
- (3) made available to local first responders and documented accordingly.

Sec. 10. Minnesota Statutes 2014, section 18C.235, subdivision 1, is amended to read:

Subdivision 1. **Plan required.** (a) A person required to be licensed under section 18C.415, or a person who stores fertilizers, soil amendment, or plant amendment products in bulk must develop and maintain a contingency plan that describes the storage, handling, disposal, and incident handling practices. an incident response plan that describes the actions that will be taken to prevent and respond to agricultural chemical incidents. The plan must include information the commissioner deems necessary to respond to an agricultural chemical emergency incident. The commissioner shall make sample incident response plan forms available. The plan must be kept at a principal business site or location within this state and must be submitted to the commissioner upon request. The plan must be:

- (1) updated every three years, or whenever information on the form becomes out of date, whichever is earlier;
- (2) reviewed with employees at least once per calendar year and include documentation of training events; and
- (3) made available to local first responders and documented accordingly.

(b) A person also required to maintain an incident response plan under section 18B.37 is not required to maintain a separate incident response plan under this subdivision.

Sec. 11. Minnesota Statutes 2014, section 18C.411, is amended by adding a subdivision to read:

Subd. 5. **Discontinuance of specialty fertilizer, soil amendment, and plant amendment registration.** To ensure complete withdrawal from distribution or further use of a specialty fertilizer, soil amendment, or plant amendment, a person who intends to discontinue a specialty fertilizer, soil amendment, and plant amendment registration must:

- (1) terminate any further distribution of the specialty fertilizer, soil amendment, or plant amendment within the state;
- (2) continue to register the specialty fertilizer, soil amendment, or plant amendment annually for two successive years;
- (3) initiate and complete a total recall of the specialty fertilizer, soil amendment, or plant amendment from all distribution in the state within 60 days from the date of notification to the commissioner of intent to discontinue registration; or
- (4) submit to the commissioner evidence adequate to document that no distribution of the registered specialty fertilizer, soil amendment, or plant amendment has occurred in the state.

Sec. 12. Minnesota Statutes 2014, section 18H.14, is amended to read:

18H.14 LABELING AND ADVERTISING OF NURSERY STOCK.

(a) Plants, plant materials, or nursery stock must not be labeled or advertised with false or misleading information including, but not limited to, scientific name, variety, place of origin, hardiness zone as defined by the United States Department of Agriculture, and growth habit.

(b) All nonhardy nursery stock as designated by the commissioner must be labeled correctly for hardiness or be labeled "nonhardy" in Minnesota.

(c) A person may not offer for distribution plants, plant materials, or nursery stock, represented by some specific or special form of notation, including, but not limited to, "free from" or "grown free of," unless the plants are produced under a specific program approved by the commissioner to address the specific plant properties addressed in the special notation claim.

(d) Nursery stock collected from the wild state must be inspected and certified prior to sale and at the time of sale must be labeled "Collected from the Wild." The label must remain on each plant or clump of plants while it is offered for sale and during the distribution process. The collected stock may be grown in nursery rows at least two years, after which the plants may be sold without the labeling required by this paragraph.

(e) A person selling at retail or providing to an end user may not label or advertise an annual plant, bedding plant, or other plant, plant material, or nursery stock as beneficial to pollinators if the annual plant, bedding plant, plant material, or nursery stock has:

(1) been treated with ~~and has a detectable level of~~ systemic insecticide that:

(1) (i) has a pollinator protection box on the label; or

(2) (ii) has a pollinator, bee, or honey bee precautionary statement in the environmental hazards section of the insecticide product label; and

(2) a concentration in its flowers greater than the no observed adverse effect level of a systemic insecticide.

The commissioner shall enforce this paragraph as provided in chapter 18J.

(f) For the purposes of paragraph (e):

(1) "systemic insecticide" means an insecticide that is both absorbed by the plant and translocated through the plant's vascular system; and

(2) "no observed adverse effect level" means the level established by the United States Environmental Protection Agency for acute oral toxicity for adult honeybees.

Sec. 13. Minnesota Statutes 2014, section 21.81, is amended by adding a subdivision to read:

Subd. 1a. **Address.** "Address" means the complete primary mailing address of the labeler or the person or firm selling seed. A complete address includes the street address, post office box, or rural route, and city, state, and zip code or postal code.

Sec. 14. Minnesota Statutes 2014, section 21.81, is amended by adding a subdivision to read:

Subd. 27a. **Total viable.** "Total viable" means the sum of the germination percentage, plus hard seeds, dormant seeds, or both.

Sec. 15. Minnesota Statutes 2014, section 21.82, subdivision 2, is amended to read:

Subd. 2. **Content.** For agricultural, vegetable, flower, or wildflower seeds offered for sale as agricultural seed, except as otherwise provided in subdivisions 4, 5, and 6, the label must contain:

(a) The name of the kind or kind and variety for each seed component in excess of five percent of the whole and the percentage by weight of each in order of its predominance. The commissioner shall by rule designate the kinds that are required to be labeled as to variety. If the variety of those kinds generally labeled as to variety is not stated

and it is not required to be stated, the label shall show the name of the kind and the words: "Variety not stated." The heading "pure seed" must be indicated on the seed label in close association with other required label information.

(1) The percentage that is hybrid shall be at least 95 percent of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of five percent and are named on the label, each that is hybrid shall be designated as hybrid on the label. Any one kind or kind and variety that has pure seed which is less than 95 percent but more than 75 percent hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show the percentage of pure seed that is hybrid seed or a statement such as "contains from 75 percent to 95 percent hybrid seed." No one kind or variety of seed shall be labeled as hybrid if the pure seed contains less than 75 percent hybrid seed. The word hybrid shall be shown on the label in conjunction with the kind.

(2) Blends shall be listed on the label using the term "blend" in conjunction with the kind.

(3) Mixtures shall be listed on the label using the term "mixture," "mix," or "mixed."

(b) Lot number or other lot identification.

(c) Origin, if known, or that the origin is unknown.

(d) Percentage by weight of all weed seeds present. This percentage may not exceed one percent. The heading "weed seed" must be indicated on the seed label in close association with other required label information.

(e) Name and rate of occurrence per pound of each kind of restricted noxious weed seeds present. They must be listed under the heading "noxious weed seeds" in close association with other required label information.

(f) Percentage by weight of seeds other than those kinds and varieties required to be named on the label. They must be listed under the heading "other crop" in close association with other required label information.

(g) Percentage by weight of inert matter. The heading "inert matter" must be indicated on the seed label in close association with other required label information.

(h) Net weight of contents, to appear on either the container or the label.

(i) For each named kind or variety of seed:

(1) percentage of germination, exclusive of hard or dormant seed or both;

(2) percentage of hard or dormant seed or both, if present; and

(3) the calendar month and year the percentages were determined by test or the statement "sell by (month and year)" which may not be more than 12 months from the date of test, exclusive of the month of test.

The headings for "germination" and "hard seed or dormant seed" percentages must be stated separately on the seed label. A separate percentage derived from combining these percentages may also be stated on the seed label, ~~but the heading for this percentage must be "total germination and hard seed or dormant seed when applicable."~~ They must not be stated as "total live seed," "total germination," or in any other unauthorized manner. as "total viable."

(j) Name and address of the person who labeled the seed or who sells the seed within this state, or a code number which has been registered with the commissioner.

Sec. 16. Minnesota Statutes 2014, section 21.82, subdivision 4, is amended to read:

Subd. 4. **Hybrid seed corn.** For hybrid seed corn purposes a label must contain:

(1) a statement indicating the number of seeds in the container may be listed along with or in lieu of the net weight of contents; and

(2) for each variety of hybrid seed field corn, the day classification as determined by the originator or owner. The day classification must approximate the number of days of growing season necessary from emergence of the corn plant above ground to relative maturity and must ~~conform to the day classification established by the director of~~ be within three days of maturity ratings determined in comparative trials by the Minnesota agricultural experiment station for the appropriate zone.

Sec. 17. Minnesota Statutes 2014, section 21.85, subdivision 2, is amended to read:

Subd. 2. **Seed laboratory.** (a) The commissioner shall establish and maintain a seed laboratory for seed testing, employing necessary agents and assistants to administer and enforce sections 21.80 to 21.92, who shall be governed by chapter 43A.

(b) The laboratory procedures for testing official seed samples are the procedures set forth in the Rules for Testing Seeds that is published annually by the Association of Official Seed Analysts. If a laboratory procedure rule does not exist for a particular type of seed, then laboratory procedures from other recognized seed testing sources may be used, including procedures under the Code of Federal Regulations, title 7, part 201, or the International Rules for Testing Seeds.

Sec. 18. Minnesota Statutes 2014, section 21.85, is amended by adding a subdivision to read:

Subd. 15. **Prohibited and restricted seeds.** The commissioner shall determine species that are considered prohibited weed seeds and restricted noxious weed seeds and the allowable rate of occurrence of restricted noxious weed seeds.

Sec. 19. Minnesota Statutes 2014, section 21.87, is amended to read:

21.87 EXEMPTION.

(a) Sections 21.82 and 21.83 do not apply to:

~~(a) to~~ (1) seed or grain not intended for sowing purposes;

~~(b) to~~ (2) seed in storage in or being transported or consigned to a conditioning establishment for conditioning, provided that the invoice or label accompanying any shipment of the seeds bears the statement "seeds for conditioning," and provided that any labeling or other representation which may be made with respect to the unconditioned seed is subject to the provisions of sections 21.82 and 21.83; ~~or~~

~~(c) to~~ (3) any carrier with respect to seed transported or delivered for transportation in the ordinary course of its business as a carrier, provided that the carrier is not engaged in producing, conditioning, or marketing seeds subject to sections 21.82 and 21.83; or

(4) interpersonal sharing of seed for home, educational, charitable, or personal noncommercial use.

(b) Notwithstanding paragraph (a), sections 21.82 and 21.83 do apply if a person distributes seed found to:

(1) contain seed of patented, protected, or proprietary varieties used without permission of the patent or certificate holder of the intellectual property associated with the variety;

(2) have been misrepresented as certified seed; or

(3) contain prohibited or restricted weed seeds or seeds from species listed as noxious by the commissioner under chapter 18.

Sec. 20. Minnesota Statutes 2014, section 34A.11, is amended to read:

34A.11 EMBARGO, SEIZURE, AND CONDEMNATION.

Subdivision 1. **Tag, notice, or withdrawal from distribution.** If the commissioner finds probable cause to believe that any food, animal, or consumer commodity is being distributed in violation of this chapter or rules under this chapter, or is adulterated or so misbranded as to be dangerous or fraudulent, the commissioner shall affix to the food, animal, equipment, facility, or consumer commodity a tag, withdrawal from distribution order, or other appropriate marking giving notice that the food, animal, equipment, facility, or consumer commodity is, or is suspected of being, adulterated, misbranded, or distributed in violation of this chapter, and has been detained or embargoed, and warning all persons not to remove or dispose of the food, animal, equipment, facility, or consumer commodity by sale or otherwise until permission for removal or disposal is given by the commissioner or the court. It is unlawful for a person to remove or dispose of a detained or embargoed food, animal, equipment, food stored in a facility, or consumer commodity by sale or otherwise without the commissioner's or a court's permission and each transaction is a separate violation of this subdivision.

Subd. 2. **Seizure.** A carcass; part of a carcass; meat or meat food product of an animal; or dead, dying, disabled, or diseased animal that is being transported in intrastate commerce, or is held for sale in this state after transportation in intrastate commerce, may be proceeded against, seized, and condemned if:

(1) it is or has been prepared, sold, transported, or otherwise distributed, offered, or received for distribution in violation of this chapter;

(2) it is usable as human food and is adulterated or misbranded; or

(3) it is in any other way in violation of this chapter.

The commissioner may act against the article or animal at any time on a complaint in the district court of the judicial district where the article or animal is found.

Subd. 3. **Action for condemnation.** If food ~~or an~~ article, equipment, or animal detained or embargoed under subdivision 1 has been found by the commissioner to be adulterated or misbranded or in violation of this chapter, the commissioner shall petition the district court in the county in which the food, article, equipment, or animal is detained or embargoed for an order and decree for the condemnation of the food, article, equipment, or animal. The commissioner shall release the food, article, equipment, or animal when this chapter and rules adopted under this chapter have been complied with or the food, article, equipment, or animal is found to be not adulterated or misbranded.

Subd. 4. **Remedies.** If the court finds that a detained or embargoed food, article, equipment, or animal is adulterated, misbranded, or in violation of this chapter or rules adopted under this chapter, the following remedies are available:

(1) after entering a decree, the food, article, equipment, or animal may be destroyed at the expense of the claimant under the supervision of the commissioner, and all court costs, fees, storage, and other proper expenses must be assessed against the claimant of the food, article, equipment, or animal or the claimant's agent; and

(2) if adulteration or misbranding can be corrected by proper labeling or processing of the food ~~or~~, animal, or repair of the equipment, the court, after entry of the decree and after costs, fees, and expenses have been paid and a good and sufficient bond, conditioned that the food or animal must be properly labeled or processed or equipment properly repaired, has been executed, may by order direct that the food or animal be delivered to the claimant for proper labeling or processing or repairing of equipment under the supervision of the commissioner. The expense of the supervision must be paid by the claimant. The food ~~or~~, animal, or equipment must be returned to the claimant and the bond must be discharged on the representation to the court by the commissioner that the food ~~or~~, animal, or equipment is no longer in violation and that the expenses for the supervision have been paid.

Subd. 5. **Duties of commissioner.** If the commissioner finds in any room, building, piece of equipment, vehicle of transportation, or other structure any meat, seafood, poultry, vegetable, fruit, or other perishable articles of food that are unsound, or contain any filthy, decomposed, or putrid substance, or that may be poisonous or deleterious to health or otherwise unsafe, the commissioner shall condemn or destroy the item or in any other manner render the item as unsalable as human food, and no one has any cause of action against the commissioner on account of the commissioner's action.

Subd. 6. **Emergency response.** If the governor declares an emergency order under section 12.31 and if the commissioner finds or has probable cause to believe that livestock, food, or a consumer commodity within a specific area is likely to be adulterated because of the emergency or so misbranded as to be dangerous or fraudulent, or is in violation of section 31.131, subdivision 1, the commissioner may embargo a geographic area that is included in the declared emergency. The commissioner shall provide notice to the public and to those with custody of the product in as thorough a manner as is practicable under the emergency circumstances.

Subd. 7. **Emergency powers.** After an emergency declaration issued under chapter 12, chapter 35, or the federal Stafford Act, the commissioner may restrict the movement of food if the commissioner has probable cause to believe that the movement of food may: threaten the agricultural economy; transport a dangerous, infectious, or communicable disease; or threaten the health of animals. The commissioner may provide for the issuance of permits to allow for the continued movement of food upon meeting the disease control measures established by the commissioner.

Sec. 21. Minnesota Statutes 2014, section 41A.12, subdivision 4, is amended to read:

Subd. 4. **Sunset.** This section expires on June 30, ~~2015~~ 2025.

Sec. 22. Minnesota Statutes 2014, section 41B.039, subdivision 2, is amended to read:

Subd. 2. **State participation.** The state may participate in a new real estate loan with an eligible lender to a beginning farmer to the extent of 45 percent of the principal amount of the loan or ~~\$300,000~~ \$400,000, whichever is less. The interest rates and repayment terms of the authority's participation interest may be different than the interest rates and repayment terms of the lender's retained portion of the loan.

Sec. 23. Minnesota Statutes 2014, section 41B.04, subdivision 8, is amended to read:

Subd. 8. **State participation.** With respect to loans that are eligible for restructuring under sections 41B.01 to 41B.23 and upon acceptance by the authority, the authority shall enter into a participation agreement or other financial arrangement whereby it shall participate in a restructured loan to the extent of 45 percent of the primary principal or ~~\$400,000~~ \$525,000, whichever is less. The authority's portion of the loan must be protected during the authority's participation by the first mortgage held by the eligible lender to the extent of its participation in the loan.

Sec. 24. Minnesota Statutes 2014, section 41B.042, subdivision 4, is amended to read:

Subd. 4. **Participation limit; interest.** The authority may participate in new seller-sponsored loans to the extent of 45 percent of the principal amount of the loan or ~~\$300,000~~ \$400,000, whichever is less. The interest rates and repayment terms of the authority's participation interest may be different than the interest rates and repayment terms of the seller's retained portion of the loan.

Sec. 25. Minnesota Statutes 2014, section 41B.043, subdivision 1b, is amended to read:

Subd. 1b. **Loan participation.** The authority may participate in an agricultural improvement loan with an eligible lender to a farmer who meets the requirements of section 41B.03, subdivision 1, clauses (1) and (2), and who is actively engaged in farming. Participation is limited to 45 percent of the principal amount of the loan or ~~\$300,000~~ \$400,000, whichever is less. The interest rates and repayment terms of the authority's participation interest may be different than the interest rates and repayment terms of the lender's retained portion of the loan.

Sec. 26. Minnesota Statutes 2014, section 41B.045, subdivision 2, is amended to read:

Subd. 2. **Loan participation.** The authority may participate in a livestock expansion loan with an eligible lender to a livestock farmer who meets the requirements of section 41B.03, subdivision 1, clauses (1) and (2), and who are actively engaged in a livestock operation. A prospective borrower must have a total net worth, including assets and liabilities of the borrower's spouse and dependents, of less than \$660,000 in 2004 and an amount in subsequent years which is adjusted for inflation by multiplying that amount by the cumulative inflation rate as determined by the United States All-Items Consumer Price Index.

Participation is limited to 45 percent of the principal amount of the loan or ~~\$400,000~~ \$525,000, whichever is less. The interest rates and repayment terms of the authority's participation interest may be different from the interest rates and repayment terms of the lender's retained portion of the loan.

Sec. 27. Minnesota Statutes 2014, section 232.22, subdivision 5, is amended to read:

Subd. 5. **Statement of grain in storage; reports.** (a) All public grain warehouse operators must by February 15 of each year file with the commissioner on a form approved by the commissioner a report showing the annual average liability of all grain outstanding on grain warehouse receipts, open storage, and grain stored for feed processing that occurred during the preceding calendar year. This report shall be used for the purpose of establishing the penal sum of the bond.

(b) Warehouse operators that are at a maximum bond and want to continue at maximum bond do not need to file this report.

(c) It is a violation of this chapter for any public grain warehouse operator to fail to file the report required in paragraph (a).

(d) Every public grain warehouse operator shall keep in a place of safety complete and accurate records and accounts relating to any grain warehouse operated. The records shall reflect each commodity received and shipped daily, the balance remaining in the grain warehouse at the close of each business day, a listing of all unissued grain warehouse receipts in the operator's possession, a record of all grain warehouse receipts issued which remain outstanding and a record of all grain warehouse receipts which have been returned for cancellation. Copies of grain warehouse receipts or other documents evidencing ownership of grain by a depositor, or other liability of the grain warehouse operator, shall be retained as long as the liability exists but must be kept for a minimum of three years.

(e) Every public grain warehouse operator must maintain in the grain warehouse at all times grain of proper grade and sufficient quantity to meet delivery obligations on all outstanding grain warehouse receipts.

Sec. 28. **[604A.40] AGRITOURISM; IMMUNITY FROM LIABILITY.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in paragraphs (b) to (g) have the meanings given them.

(b) "Agricultural products" means livestock, aquacultural, poultry, horticultural, floricultural, viticultural, silvicultural, or other products of a farm or ranch.

(c) "Agritourism activity" means activity carried out on a farm or ranch that allows organizations or members of the general public, for recreational, entertainment, charitable, or educational purposes, to view, enjoy, or participate in rural activities, including, but not limited to: farming; viticulture; winemaking; ranching; and historical, cultural, farm stay, gleaning, harvest-your-own, or natural activities and attractions. An activity is an agritourism activity whether or not the participant pays to participate in the activity.

(d) "Agritourism professional" means a person who is engaged in providing one or more agritourism activities, whether or not for compensation.

(e) "Farm or ranch" means one or more areas of land used for the production, cultivation, growing, harvesting, or processing of agricultural products.

(f) "Inherent risks of agritourism activity" mean dangers or conditions that are an integral part of an agritourism activity including but not limited to:

(1) natural hazards and conditions of land, vegetation, and waters including surface and subsurface conditions;

(2) the behavior of wild or domestic animals; and

(3) ordinary dangers of structures or equipment ordinarily used in farming or ranching operations.

(g) "Participant" means a person, other than an agritourism professional, who engages in an agritourism activity and who has the capacity to understand the inherent risks of agricultural tourism.

Subd. 2. **Liability limited.** (a) Except as provided in paragraphs (b) and (c), an agritourism professional is not liable for injury, damage, or death of a participant resulting from the inherent risks of agritourism activities.

(b) Nothing in paragraph (a) prevents or limits the liability of an agritourism professional if the agritourism professional:

(1) commits an act or omission that constitutes negligence or willful or wanton disregard for the safety of the participant, and that act or omission proximately causes injury, damage, or death of the participant;

(2) has actual knowledge or reasonably should have known of a dangerous condition on the land or in the facilities or equipment used in the activity, or the dangerous propensity of a particular animal used in such activity;

(3) intentionally injures the participant; or

(4) fails to comply with the notice requirement of subdivision 3.

(c) Nothing in paragraph (a) affects a claim under chapter 340A, or a claim arising out of the sale or use of alcohol at an agritourism facility.

Subd. 3. **Posting notice.** An agritourism professional shall post plainly visible signs at one or more prominent locations in the premises where the agritourism activity takes place that include a warning of the inherent risks of agritourism activity.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to actions arising from incidents occurring on or after that date.

Sec. 29. **REPEALER.**

Minnesota Statutes 2014, section 18C.235, subdivision 2, and Minnesota Rules, part 1510.0111, are repealed."

Delete the title and insert:

"A bill for an act relating to agriculture; making policy and technical changes to various agriculture related provisions, including provisions related to reports, loans, pesticides, fertilizer, soil amendment, plant amendment, registrations, nursery stock, agricultural chemicals, seeds, grain storage, and food; extending agricultural growth, research, and innovation program; providing agritourism liability immunity; making technical changes; amending Minnesota Statutes 2014, sections 17.03, subdivision 11a; 17.117, subdivision 11; 18B.055, subdivision 1; 18B.065, subdivisions 2a, 7; 18B.30; 18B.37, subdivisions 2, 3, 4; 18C.235, subdivision 1; 18C.411, by adding a subdivision; 18H.14; 21.81, by adding subdivisions; 21.82, subdivisions 2, 4; 21.85, subdivision 2, by adding a subdivision; 21.87; 34A.11; 41A.12, subdivision 4; 41B.039, subdivision 2; 41B.04, subdivision 8; 41B.042, subdivision 4; 41B.043, subdivision 1b; 41B.045, subdivision 2; 232.22, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 604A; repealing Minnesota Statutes 2014, section 18C.235, subdivision 2; Minnesota Rules, part 1510.0111."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1568, A bill for an act relating to human services; modifying provisions related to individuals who are committed as mentally ill and dangerous to the public; imposing duties on special review board and the head of the treatment facility; amending Minnesota Statutes 2014, section 253B.18, subdivisions 4c, 5.

Reported the same back with the following amendments:

Page 1, line 22, delete everything after "(b)" and insert "The special review board must review each denied petition under subdivision 5 for barriers and obstacles preventing the patient from progressing in treatment. Based on the cases before the board in the previous year, the special review board shall provide to the commissioner an annual summation of the barriers to treatment progress, and recommendations to achieve the common goal of making progress in treatment."

Page 1, delete lines 23 to 25

With the recommendation that when so amended the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1647, A bill for an act relating to health; allowing a patient to enjoin collection actions taken by a nonprofit hospital if the hospital has failed to provide a financial assistance policy; proposing coding for new law in Minnesota Statutes, chapter 604.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[604.175] COMPLIANCE WITH DEBT COLLECTION REQUIREMENTS.**

(a) Any patient may bring an action to enjoin extraordinary collection actions taken by a nonprofit hospital if the hospital has failed to provide a plain language summary of the financial assistance policy. A prevailing patient is entitled to reasonable attorney fees and costs.

(b) For the purposes of this section:

(1) "extraordinary collection actions" means an action described in Code of Federal Regulations, title 26, section 1.501(r)-6;

(2) "financial assistance policy" means a written policy that meets the requirements described in Code of Federal Regulations, title 26, section 1.501(r)-4;

(3) "nonprofit hospital" means a hospital that claims federal tax status under United States Code, title 26, section 501(r); and

(4) "plain language summary" has the meaning given in Code of Federal Regulations, title 26, section 501(r)-1.

EFFECTIVE DATE. This section is effective January 1, 2016, and applies to a nonprofit hospital on and after the date in 2016 when its fiscal year begins."

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 1695, A bill for an act relating to unemployment insurance; adopting recommendations of the Unemployment Insurance Advisory Council; making federal conformity, policy, and technical changes; amending Minnesota Statutes 2014, sections 268.035, subdivisions 6, 21b, 26, 30; 268.051, subdivision 7; 268.07, subdivisions 2, 3b; 268.085, subdivisions 1, 2; 268.095, subdivisions 1, 10; 268.105, subdivisions 3, 7; 268.136, subdivision 1; 268.188; 268.194, subdivision 1; repealing Minnesota Statutes 2014, section 268.042, subdivision 4.

Reported the same back with the following amendments:

Page 4, line 4, after "paragraph" insert "also"

Page 5, line 21, delete the first "of" and insert "or"

Page 7, line 7, after the period, insert "When determining if total wages and compensation are equal to or better than the applicant's employment, differences in cost of living must be considered."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Erickson from the Committee on Education Innovation Policy to which was referred:

H. F. No. 1709, A bill for an act relating to education; providing for full-service community schools; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Education Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1714, A bill for an act relating to health; changing the expiration date for e-Health Advisory Committee, the Trauma Advisory Council, and the Maternal and Child Health Advisory Task Force; amending Minnesota Statutes 2014, sections 62J.495, subdivision 2; 144.608, subdivision 2; 145.8811, subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 33, insert:

"Sec. 4. **STILLBIRTH REVIEW.**

The Maternal and Child Health Advisory Task Force, established by the commissioner of health under Minnesota Statutes, section 145.8811, is encouraged to conduct a review of current methods of data collection on stillbirths, prenatal protocols to prevent stillbirths, available supports for families who have experienced a stillbirth, and any other information related to stillbirths that the task force deems appropriate."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requesting a review of stillbirth data collection, prenatal protocols, and family supports;"

With the recommendation that when so amended the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 1718, A bill for an act relating to corrections; repealing the old Interstate Compact for Juveniles; repealing Minnesota Statutes 2014, sections 260.51; 260.53.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1725, A bill for an act relating to state government; permitting electronic filing for hearings in contested cases at the Office of Administrative Hearings; amending Minnesota Statutes 2014, section 14.58.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1792, A bill for an act relating to health; making changes to provisions governing receivership of nursing homes or certified boarding care homes; establishing a unified home care bill of rights; amending Minnesota Statutes 2014, sections 144A.15; 256B.0641, subdivision 3; 256B.495, subdivisions 1, 5; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2014, sections 144A.14; 256B.495, subdivisions 1a, 2, 4.

Reported the same back with the following amendments:

Page 3, line 6, delete "one day" and insert "two days"

Page 3, line 19, delete "The commissioner"

Page 3, delete lines 20 to 22

Page 3, line 23, delete "health and safety."

Page 3, lines 34 to 36, reinstate the stricken language

Page 5, delete section 2

Page 7, delete section 5 and insert:

"Sec. 4. Minnesota Statutes 2014, section 256B.495, subdivision 5, is amended to read:

Subd. 5. **Sale or transfer of a nursing facility in receivership after closure.** (a) Upon the subsequent sale or transfer of a nursing facility in receivership, the commissioner ~~must~~ shall seek to recover ~~from the prior licensee~~ any amounts paid through payment rate adjustments under ~~subdivision 4 which exceed the normal cost of operating the nursing facility.~~ Examples of costs in excess of the normal cost of operating the nursing facility include the

~~managing agent's fee, directly identifiable costs of the managing agent, bonuses paid to employees for their continued employment during the downsizing to closure of the nursing facility, prereceivership expenditures paid by the receiver, additional professional services such as accountants, psychologists, and dietitians, and other similar costs incurred by the receiver to complete receivership subdivision 1. The buyer or transferee prior licensee shall repay this amount to the commissioner within 60 days after the commissioner notifies the buyer or transferee prior licensee of the obligation to repay. The buyer or transferee must also repay the private-pay resident the amount the private-pay resident paid through payment rate adjustment.~~

(b) The commissioner may recover amounts paid through the receivership fee by means of withholding from payments due to the prior licensee related to any other medical assistance provider of theirs in Minnesota. The prior licensee must also repay private-pay residents the amount the private-pay resident paid for the receivership fee.

(c) If a nursing facility with payment rates subject to subdivision 4, paragraph (a), determined under subdivision 1 is later sold while the nursing facility is in receivership, the payment rates in effect prior to the receivership shall be the new owner's payment rates. Those payment rates shall continue to be in effect until the rate year following the reporting period ending on September 30 for the new owner. The reporting period shall, whenever possible, be at least five consecutive months. If the reporting period is less than five months but more than three months, the nursing facility's resident days for the last two months of the reporting period must be annualized over the reporting period for the purpose of computing the payment rate for the rate year following the reporting period. The commissioner shall apply to these rates any rate adjustment provided to other nursing facilities for which the facility is qualified."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "bill of rights;"

Correct the title numbers

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Scott from the Committee on Civil Law and Data Practices to which was referred:

H. F. No. 1793, A bill for an act relating to horse racing; modifying and providing definitions; clarifying commission powers and duties; modifying and providing for licensure requirements and other regulatory provisions; providing for industry-related revenue; amending Minnesota Statutes 2014, sections 240.01, subdivision 22, by adding subdivisions; 240.011; 240.03; 240.08, subdivisions 2, 4, 5; 240.10; 240.13, subdivisions 5, 6; 240.135; 240.15, subdivisions 1, 6; 240.16, subdivision 1; 240.22; 240.23; 364.09; repealing Minnesota Statutes 2014, section 240.01, subdivisions 12, 23.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1825, A bill for an act relating to taxation; sales and use; providing criminal and civil penalties for use of automated sales suppression devices; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 2, delete subdivision 5

Amend the title as follows:

Page 1, line 2, delete "and civil"

With the recommendation that when so amended the bill be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1826, A bill for an act relating to state government; contracts; grant management; amending Minnesota Statutes 2014, sections 16B.97, subdivision 1; 16B.98, subdivisions 1, 11.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Anderson, S., from the Committee on State Government Finance to which was referred:

H. F. No. 1835, A bill for an act relating to water; modifying Metropolitan Area Water Supply Advisory Committee and specifying duties; modifying water supply plan requirements; requiring a report; delaying implementation of groundwater management area plan; appropriating money; amending Minnesota Statutes 2014, sections 103G.291, subdivision 3; 473.1565.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources Policy and Finance.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1845, A bill for an act relating to state government; requiring interagency feasibility study.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Agriculture Finance.

The report was adopted.

Urdahl from the Committee on Legacy Funding Finance to which was referred:

H. F. No. 1866, A bill for an act relating to taxation; sales and use; clarifying motor vehicle lease sales tax revenue deposits; amending Minnesota Statutes 2014, section 297A.815, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 9, strike "\$32,000,000" and insert "\$28,200,000 in fiscal year 2015, \$28,000,000 in fiscal year 2016, and \$27,800,000 in fiscal year 2017 and" and before the period, insert "thereafter"

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Scott from the Committee on Civil Law and Data Practices to which was referred:

H. F. No. 1935, A bill for an act relating to public safety; providing for religious objections to autopsies in certain cases; amending Minnesota Statutes 2014, section 390.11, subdivisions 1, 2, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 390.005, is amended by adding a subdivision to read:

Subd. 6. **Communicating with family during a death investigation.** Every coroner or medical examiner in office on or after July 1, 2015, shall maintain and make publicly available a statement of policy or principles to be used for communicating with families during a death investigation.

Sec. 2. Minnesota Statutes 2014, section 390.11, subdivision 1, is amended to read:

Subdivision 1. **Reports of death.** All sudden or unexpected deaths and all deaths that may be due entirely or in part to any factor other than natural disease processes must be promptly reported to the coroner or medical examiner for evaluation. Sufficient information must be provided to the coroner or medical examiner. Reportable deaths include, but are not limited to:

- (1) unnatural deaths, including violent deaths arising from homicide, suicide, or accident;
- (2) deaths due to a fire or associated with burns or chemical, electrical, or radiation injury;
- (3) unexplained or unexpected perinatal and postpartum maternal deaths;
- (4) deaths under suspicious, unusual, or unexpected circumstances;
- (5) deaths of persons whose bodies are to be cremated or otherwise disposed of so that the bodies will later be unavailable for examination;
- (6) deaths of inmates of public institutions and persons in custody of law enforcement officers who have not been hospitalized primarily for organic disease;

(7) deaths that occur during, in association with, or as the result of diagnostic, therapeutic, or anesthetic procedures;

(8) deaths due to culpable neglect;

(9) stillbirths of 20 weeks or longer gestation unattended by a physician;

(10) sudden deaths of persons not affected by recognizable disease;

(11) unexpected deaths of persons notwithstanding a history of underlying disease;

(12) deaths in which a fracture of a major bone such as a femur, humerus, or tibia has occurred within the past six months;

(13) deaths unattended by a physician occurring outside of a licensed health care facility or licensed residential hospice program;

(14) deaths of persons not seen by their physician within 120 days of demise;

(15) deaths of persons occurring in an emergency department;

(16) stillbirths or deaths of newborn infants in which there has been maternal use of or exposure to unprescribed controlled substances including street drugs or in which there is history or evidence of maternal trauma;

(17) unexpected deaths of children;

(18) solid organ donors;

(19) unidentified bodies;

(20) skeletonized remains;

(21) deaths occurring within 24 hours of arrival at a health care facility if death is unexpected;

(22) deaths associated with the decedent's employment;

(23) deaths of nonregistered hospice patients or patients in nonlicensed hospice programs; and

(24) deaths attributable to acts of terrorism.

The coroner or medical examiner shall determine the extent of the coroner's or medical examiner's investigation, including whether additional investigation is needed by the coroner or medical examiner, jurisdiction is assumed, or an autopsy will be performed, ~~notwithstanding any other statute~~ subject to subdivision 2b.

Sec. 3. Minnesota Statutes 2014, section 390.11, subdivision 2, is amended to read:

Subd. 2. **Autopsies.** Subject to subdivision 2b, the coroner or medical examiner may order an autopsy, at the coroner or medical examiner's sole discretion, in the case of any human death referred to in subdivision 1, when, in the judgment of the coroner or medical examiner the public interest would be served by an autopsy. The autopsy shall be performed without unnecessary delay. A report of the facts developed by the autopsy and findings of the person performing the autopsy shall be made promptly and filed in the office of the coroner or medical examiner.

When further investigation is deemed advisable, a copy of the report shall be delivered to the county attorney. Every autopsy performed pursuant to this subdivision shall, whenever practical, be performed in the county morgue. Nothing herein shall require the coroner or medical examiner to order an autopsy upon the body of a deceased person if the person died of known or ascertainable causes or had been under the care of a licensed physician immediately prior to death or if the coroner or medical examiner determines the autopsy to be unnecessary.

Autopsies performed pursuant to this subdivision may include the removal, retention, testing, or use of organs, parts of organs, fluids or tissues, at the discretion of the coroner or medical examiner, when removal, retention, testing, or use may be useful in determining or confirming the cause of death, mechanism of death, manner of death, identification of the deceased, presence of disease or injury, or preservation of evidence. Such tissue retained by the coroner or medical examiner pursuant to this subdivision shall be disposed of in accordance with standard biohazardous hospital or surgical material and does not require specific consent or notification of the legal next of kin. When removal, retention, testing, and use of organs, parts of organs, fluids, or tissues is deemed beneficial, and is done only for research or the advancement of medical knowledge and progress, written consent or documented oral consent shall be obtained from the legal next of kin, if any, of the deceased person prior to the removal, retention, testing, or use.

Sec. 4. Minnesota Statutes 2014, section 390.11, is amended by adding a subdivision to read:

Subd. 2b. Religious objections to autopsy. (a) For purposes of this subdivision:

(1) "compelling state interest" means that:

(i) the autopsy is essential to investigation of a suspected crime;

(ii) the autopsy is necessary to prevent a potential public health threat and essential to ascertain the cause or manner of death;

(iii) the autopsy is essential to ascertain the cause or manner of death following an unexpected death, regardless of the decedent's underlying disease, in order to protect the public's health;

(iv) the autopsy is necessary to obtain proper toxicologic or other specimens that may represent evidence of a crime and may deteriorate over time;

(v) the death is an unexpected and unexplained death of a child;

(vi) the death is associated with police action;

(vii) the death is unnatural, unattended, or unexpected and occurred within a facility licensed by the Department of Corrections;

(viii) the death is due to acute workplace injury;

(ix) the death is caused by apparent electrocution;

(x) the death is caused by unwitnessed or suspected drowning;

(xi) the body is unidentified and the autopsy may aid in identification;

(xii) the body is skeletonized but not subject to the provisions of section 307.08;

(xiii) death appears to be caused by fire or explosion; or

(xiv) the need for an autopsy is otherwise established under paragraph (e);

(2) "interested party" means a person who is not a surviving relative but who is in a class of persons listed in section 149A.80, subdivision 2, clauses (2) to (11);

(3) "religious beliefs" means the recognized tenets, understandings, customs, or rites of any culture or recognized religion as they apply to activities described in section 149A.01, subdivision 3, paragraph (b);

(4) "religious grounds" means that performance of an autopsy is contrary to the religious beliefs of the decedent or the decedent included a religious objection to an autopsy in the decedent's health care directive; and

(5) "surviving relative" means the person or persons with the right to control and duty of disposition of the body of the decedent under section 149A.80, subdivision 2.

(b) The coroner or medical examiner shall, as soon as possible, but no more than 24 hours after the discovery of the decedent's body, exercise good faith efforts to give written or verbal notice to the surviving relative of the decedent of the intended autopsy and the surviving relative's rights under this section. If the surviving relative does not object, the autopsy may be performed without delay. If, despite a good faith effort, no surviving family members can be found within 24 hours of the discovery of the decedent's body, the autopsy may proceed without further delay. A record summarizing verbal communication with a surviving relative must be maintained indefinitely in the coroner's or medical examiner's records. The coroner or medical examiner may require a surviving relative, or a person representing a class of surviving relatives, to present an affidavit stating the person's relationship to the decedent, any religious affiliation of the decedent, that the decedent had a religious objection to an autopsy and the basis for that belief, and that the relative will assume responsibility for the lawful disposition of the body of the deceased. An autopsy must not be performed if a surviving relative of the decedent objects based on religious grounds unless there is a compelling state interest to perform the autopsy.

(c) If the coroner or medical examiner determines that a compelling state interest to perform an autopsy exists under paragraph (a), clause (1), items (i) to (xiii), the autopsy may proceed without further delay, except that where there has been a religious objection under this subdivision, the least invasive means to accomplish the compelling state interest must be used.

(d) The court may waive the waiting period under paragraph (b) upon ex parte motion if it determines that the delay may prejudice the accuracy of the autopsy or threaten public health.

(e) If the coroner or medical examiner determines that there is a compelling state interest to perform an autopsy under circumstances not described in paragraph (a), clause (1), items (i) to (xiii), and the surviving relative objects based on religious grounds or an interested party objects and submits written information to the coroner or medical examiner showing reason to believe that the autopsy is contrary to the religious beliefs of the decedent, the coroner or medical examiner may bring an action in district court for an order authorizing the autopsy. The action must be brought by notice of an order to show cause served on the surviving relative or, if a surviving relative is not available, on another party if directed by the court. The proceeding must be determined summarily upon the petition and the oral or written proof that may be offered by the parties. The court shall grant the relief sought in the petition if it finds that the petitioner has established a demonstrable need for the autopsy that outweighs the state's interest in observing the decedent's religious beliefs. If the petition is denied and no stay is granted by the court, the body must immediately be released for burial to the surviving relative.

(f) Autopsies performed under this section based on a compelling state interest must be the least intrusive procedure consistent with that interest. This section does not prohibit a coroner or medical examiner from obtaining voluntary permission from a surviving relative to conduct an examination and inquiry involving less intrusive means than an autopsy.

(g) A coroner or medical examiner is not liable for not performing an autopsy if a surviving relative has objected to an autopsy on religious grounds under this subdivision.

Sec. 5. Minnesota Statutes 2014, section 390.32, subdivision 2, is amended to read:

Subd. 2. ~~Violent or mysterious deaths; Autopsies.~~ Subject to section 390.11, subdivision 2b, the medical examiner may conduct an autopsy in the case of any human death of any type referred to in subdivision 1, clause (1) or (2), ~~when in the judgment of the medical examiner the public interest requires an autopsy or in section 390.11, subdivision 1.~~

Sec. 6. Minnesota Statutes 2014, section 390.32, subdivision 3, is amended to read:

Subd. 3. **Other deaths; autopsies; exhumation consent.** Subject to section 390.11, subdivision 2b, the medical examiner may conduct an autopsy in the case of any human death of any type referred to in subdivision 1, clause (3) or (4), or may exhume any human body and perform an autopsy in the case of any human death of any type referred to in subdivision 1 when in the judgment of the medical examiner the public interest requires an autopsy. No such autopsy on an exhumed body shall be conducted unless the surviving spouse, or next of kin if there is no surviving spouse, consents, or unless the district court of the county where the body is located or buried, upon notice as the court directs, enters its order authorizing an autopsy or an exhumation and autopsy. Application for an order may be made by the medical examiner or the county attorney of the county where the body is located or buried, upon a showing that the court deems appropriate."

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

Scott from the Committee on Civil Law and Data Practices to which was referred:

H. F. No. 1972, A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending Minnesota Statutes 2014, sections 5.25, subdivision 5; 13.321, subdivision 2a, by adding a subdivision; 13.3806, subdivision 1b; 13.381, subdivision 14a; 13.461, subdivisions 3, 7a; 13.602, subdivision 2; 13.681, by adding a subdivision; 13.72, subdivision 12; 13.871, subdivision 6, by adding a subdivision; 16A.126, subdivision 1; 16C.137, subdivision 2; 16D.04, subdivision 1; 81A.04, subdivision 1; 82.67, subdivision 3; 82.72, subdivision 3; 116D.04, subdivision 2a; 116L.146; 119A.50, subdivision 3; 120A.41; 122A.23, subdivision 2; 122A.414, subdivision 2; 122A.61, subdivision 1; 124D.10, subdivision 4; 124D.20, subdivision 8; 124D.861, subdivision 3; 125A.79, subdivisions 4, 8; 127A.441; 127A.49, subdivisions 2, 3; 144.0724, subdivision 4; 144.227, subdivision 1; 144A.10, subdivision 16; 161.3209, subdivision 3; 168A.03, subdivision 1; 169.781, subdivisions 1, 2; 174.12, subdivision 8; 241.332, subdivision 2; 241.335, subdivision 2; 241.336, subdivision 3; 244.05, subdivision 5; 245.466, subdivision 3a; 245.4871, subdivision 13; 245.4874, subdivision 1; 245.4877; 245.493, subdivisions 1, 1a, 2; 245A.191; 245A.192, subdivision 11; 245A.50, subdivision

4; 245C.03, subdivision 2; 245C.22, subdivision 5; 245D.061, subdivision 1; 253B.07, subdivision 7; 254B.05, subdivision 5; 256.01, subdivision 14b; 256.969, subdivisions 8, 23; 256B.0654, subdivision 2b; 256B.199; 256B.76, subdivision 4; 256J.14; 256J.21, subdivision 2; 256J.61; 260B.185, subdivision 1; 268.046, subdivision 1; 297A.68, subdivision 2; 297E.02, subdivision 6; 299C.61, subdivision 4; 299F.01, subdivision 2; 299L.02, subdivision 5; 299L.07, subdivision 5; 322C.0102, subdivision 6; 325D.40, subdivision 2; 325E.028, subdivision 4; 326B.04, subdivision 2; 403.09, subdivision 3; 412.014; 466A.01, subdivision 6; 471.87; 473.604, subdivision 3; 477A.011, subdivisions 30, 30a, 42; 477A.013, subdivisions 8, 9; 477A.015; 477A.03, subdivisions 2a, 2c; 477A.12, subdivisions 1, 2; 477A.16, subdivisions 1, 2; 477A.19, subdivisions 4, 5; 480A.09, subdivision 2; 518B.01, subdivision 4; 572A.02, subdivisions 2, 3; 609.106, subdivision 2; 609.19, subdivision 1; 609.223, subdivision 2; 609.266; 609.531, subdivision 1; 626.556, subdivision 3c; 626.8463, subdivision 1; 626.8555; 629.725; Laws 2013, chapter 143, article 8, section 40; proposing coding for new law in Minnesota Statutes, chapter 609B; repealing Minnesota Statutes 2014, sections 13.381, subdivision 17; 13.46, subdivision 13; 13.681, subdivision 7; 126C.01, subdivision 9; 239.001; 256B.0625, subdivision 50; 273.111, subdivision 9a; 469.1816; Laws 2014, chapter 228, article 1, section 2; Laws 2014, chapter 291, article 10, section 4; article 11, sections 15; 16; 21; Laws 2014, chapter 312, article 25, section 11; article 28, section 1; Minnesota Rules, parts 4900.3401; 8710.3000, subpart 5; 8710.3200, subpart 6; 8710.3310, subpart 5; 8710.3320, subpart 5; 8710.3330, subpart 5; 8710.3340, subpart 5; 8710.4000, subpart 5; 8710.4050, subpart 5; 8710.4200, subpart 5; 8710.4250, subpart 5; 8710.4300, subpart 5; 8710.4310, subpart 5; 8710.4320, subpart 5; 8710.4400, subpart 5; 8710.4450, subpart 5; 8710.4500, subpart 5; 8710.4550, subpart 5; 8710.4600, subpart 5; 8710.4650, subpart 5; 8710.4700, subpart 5; 8710.4750, subpart 9; 8710.4800, subpart 5; 8710.4850, subpart 5; 8710.4900, subpart 5; 8710.4950, subpart 9.

Reported the same back with the following amendments:

Page 72, after line 17, insert:

"Sec. 94. Minnesota Statutes 2014, section 500.215, subdivision 1, is amended to read:

Subdivision 1. **General rule.** (a) Any provision of any deed restriction, subdivision regulation, restrictive covenant, local ordinance, contract, rental agreement or regulation, or homeowners association document that limits the right of an owner or tenant of residential property to display the flag of the United States and the flag of the State of Minnesota is void and unenforceable.

(b) "Homeowners association document" includes the declaration, articles of incorporation, bylaws, and rules and regulations of:

(1) a common interest community, as defined in section ~~515B.1-103(C)(10)~~ 515B.1-103(10), regardless of whether the common interest community is subject to chapter 515B; and

(2) a residential community that is not a common interest community, as defined in section ~~515B.1-103(C)(10)~~ 515B.1-103(10)."

Page 80, after line 14, insert:

"Subd. 13. **Obsolete terminology.** The revisor of statutes shall replace the term "Association of Minnesota Counties insurance trust" or "Minnesota Association of Counties Insurance Trust" with "Minnesota Counties Intergovernmental Trust" wherever it appears in Minnesota Statutes."

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1976, A bill for an act relating to workers' compensation; modifying electronic transactions; authorizing penalties; amending Minnesota Statutes 2014, sections 176.135, by adding a subdivision; 176.221, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 16, delete the second "and"

Page 1, line 17, delete everything before the period

Page 2, delete lines 34 and 35

Page 3, delete lines 1 and 2

Page 3, line 3, delete "(g)" and insert "(f)"

Page 3, line 4, delete "or rule adopted under paragraph (f)"

Page 3, line 21, delete "other financial institution, as defined in section 47.61" and insert "credit union"

Page 3, line 24, delete "other financial institution" and insert "credit union"

Page 3, line 26, delete "other" and insert "credit union"

Page 3, line 27, delete "financial institution"

Page 3, line 30, delete "other financial institution" and insert "credit union"

Page 4, line 3, delete "other financial institution" and insert "credit union"

Page 4, line 7, delete "other financial" and insert "credit union"

Page 4, line 8, delete "institution"

Page 4, line 11, delete "financial institution" and insert "bank, savings association, or credit union"

Page 4, line 16, delete "direct deposit or"

Page 4, line 24, delete "the day following final enactment" and insert "January 1, 2016"

Page 4, after line 24, insert:

"Sec. 3. Minnesota Statutes 2014, section 176.231, subdivision 1, is amended to read:

Subdivision 1. **Time limitation.** Where death or serious injury occurs to an employee during the course of employment, the employer shall report the injury or death to the commissioner and insurer within 48 hours after its occurrence. Where any other injury occurs which wholly or partly incapacitates the employee from performing labor or service for more than three calendar days, the employer shall report the injury to the insurer on a form prescribed by the commissioner within ten days from its occurrence. An insurer and self-insured employer shall

report the injury to the commissioner no later than 14 days from its occurrence. Where an injury has once been reported but subsequently death ensues, the employer shall report the death to the commissioner and insurer within 48 hours after the employer receives notice of this fact. An employer who provides notice to the Occupational Safety and Health Division of the Department of Labor and Industry of a fatality within the eight-hour time frame required by law, or of an inpatient hospitalization ~~of three or more employees,~~ within the ~~eight-hour~~ 24-hour time frame required by law, has satisfied the employer's obligation under this section.

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

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying death or injury reporting requirements;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1979, A bill for an act relating to commerce; establishing a task force on no-fault automobile insurance reform issues; providing legislative appointments; requiring a report.

Reported the same back with the following amendments:

Page 1, line 9, delete "nine" and insert "19"

Page 1, delete lines 16 to 19 and insert:

"(4) a person appointed by the Minnesota Chiropractic Association;

(5) a person appointed by the Insurance Federation of Minnesota;

(6) a person appointed by the Insurance Federation of Minnesota who is not a member of the federation;

(7) a person appointed by the Minnesota Association for Justice;

(8) a person appointed by the Minnesota Medical Association;

(9) a person appointed by the Minnesota Glass Association;

(10) a person appointed by the Minnesota Hospital Association;

(11) a person appointed by the Minnesota Ambulance Association;

(12) a person appointed by the Minnesota Physical Therapy Association;

(13) a person appointed by the Academy of Emergency Physicians-Minnesota Chapter;

(14) a person appointed by the Medical Group Management Association of Minnesota;

(15) a representative of a medical consulting company specializing in the delivery of independent medical examinations, appointed by the commissioner;

(16) a person appointed by the Minnesota Defense Lawyers Association; and

(17) a person appointed by the Minnesota Ambulatory Surgery Center Association."

Page 2, line 4, after the semicolon, insert "and"

Page 2, line 5, delete "; and" and insert a period

Page 2, delete line 6

With the recommendation that when so amended the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 2038, A bill for an act relating to human services; modifying the administrative cost limit for prepaid health plans and county-based purchasing plans; amending Minnesota Statutes 2014, section 256B.69, subdivision 5i.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 62D.08, subdivision 7, is amended to read:

Subd. 7. Consistent administrative expenses and investment income reporting. (a) Every health maintenance organization must submit financial information, including administrative expenses for dental services, using the reporting template Minnesota Supplement Report #1A provided by the commissioner of health. Every health maintenance organization must directly allocate administrative expenses to specific lines of business, product, or products individual state public program when such information is available. Remaining expenses that cannot be directly allocated must be allocated based on other methods, as recommended by the Advisory Group on Administrative Expenses by dollars of premium income or by administrative revenue for administrative services only (ASO) business lines. Health maintenance organizations must submit this information, including administrative expenses for dental services, using the reporting template provided by the commissioner of health. Investment gain must be allocated annually based on premium revenue dedicated to each business line, product, and individual state public program. The Minnesota Supplement Report #1A categorized administrative expenses must reconcile to the general administrative expenses reported on line 21 on Minnesota Supplement Report #1, as well as the underwriting and investment exhibit part 3 - analysis of expenses, of the NAIC health blank. The Minnesota Supplement Report #1A categories include the following expense categories from the underwriting and investment exhibit part 3:

(1) employee benefit expenses: salaries, wages, and benefits;

(2) sales expenses: commissions, marketing, and advertising; cost of sales-related materials, postage, telephone, and printing materials;

(3) general business and office type expenses: rent; non-sales-related postage, express, and telephone; non-sales-related printing and office supplies; taxes, excluding state premium taxes and assessments; licenses and fees; traveling expenses; insurance, except on real estate; collection and bank service charges; group service and administration fees; real estate expenses; real estate taxes; equipment; occupancy, depreciation and amortization; cost or depreciation of electronic data processing (EDP) equipment and software;

(4) state premium taxes and assessments;

(5) consulting and professional fees: legal fees and expenses; certifications and accreditation fees; auditing, actuarial, and other consulting fees; board, bureau, and association fees;

(6) outsourced services: EDP; claims and other services; and

(7) other expenses: investment expenses not included elsewhere; aggregate write-ins for expenses; reimbursements by uninsured plans; reimbursements from fiscal intermediaries.

~~(b) Every health maintenance organization must allocate investment income based on cumulative net income over time by business line or product and must submit this information, including investment income for dental services, using the reporting template provided by the commissioner of health. For purposes of this subdivision:~~

(1) "directly allocate" means to assign costs for an item to a specific product or individual state public program when the cost can be specifically identified with, and benefits, the particular product or individual state public program, and the allocated costs are based on the relative benefits received; and

(2) "individual state public program" means each medical assistance program, including the prepaid medical assistance program, Minnesota senior health options, Minnesota senior care plus, and special needs basic care; and the MinnesotaCare program.

Sec. 2. Minnesota Statutes 2014, section 256B.69, subdivision 5a, is amended to read:

Subd. 5a. **Managed care contracts.** (a) Managed care contracts under this section and section 256L.12 shall be entered into or renewed on a calendar year basis. The commissioner may issue separate contracts with requirements specific to services to medical assistance recipients age 65 and older.

(b) A prepaid health plan providing covered health services for eligible persons pursuant to chapters 256B and 256L is responsible for complying with the terms of its contract with the commissioner. Requirements applicable to managed care programs under chapters 256B and 256L established after the effective date of a contract with the commissioner take effect when the contract is next issued or renewed.

(c) The commissioner shall withhold five percent of managed care plan payments under this section and county-based purchasing plan payments under section 256B.692 for the prepaid medical assistance program pending completion of performance targets. Each performance target must be quantifiable, objective, measurable, and reasonably attainable, except in the case of a performance target based on a federal or state law or rule. Criteria for assessment of each performance target must be outlined in writing prior to the contract effective date. Clinical or utilization performance targets and their related criteria must consider evidence-based research and reasonable interventions when available or applicable to the populations served, and must be developed with input from

external clinical experts and stakeholders, including managed care plans, county-based purchasing plans, and providers. The managed care or county-based purchasing plan must demonstrate, to the commissioner's satisfaction, that the data submitted regarding attainment of the performance target is accurate. The commissioner shall periodically change the administrative measures used as performance targets in order to improve plan performance across a broader range of administrative services. The performance targets must include measurement of plan efforts to contain spending on health care services and administrative activities. The commissioner may adopt plan-specific performance targets that take into account factors affecting only one plan, including characteristics of the plan's enrollee population. The withheld funds must be returned no sooner than July of the following year if performance targets in the contract are achieved. The commissioner may exclude special demonstration projects under subdivision 23.

(d) The commissioner shall require that managed care plans use the assessment and authorization processes, forms, timelines, standards, documentation, and data reporting requirements, protocols, billing processes, and policies consistent with medical assistance fee-for-service or the Department of Human Services contract requirements consistent with medical assistance fee-for-service or the Department of Human Services contract requirements for all personal care assistance services under section 256B.0659.

(e) Effective for services rendered on or after January 1, 2012, the commissioner shall include as part of the performance targets described in paragraph (c) a reduction in the health plan's emergency department utilization rate for medical assistance and MinnesotaCare enrollees, as determined by the commissioner. For 2012, the reduction shall be based on the health plan's utilization in 2009. To earn the return of the withhold each subsequent year, the managed care plan or county-based purchasing plan must achieve a qualifying reduction of no less than ten percent of the plan's emergency department utilization rate for medical assistance and MinnesotaCare enrollees, excluding enrollees in programs described in subdivisions 23 and 28, compared to the previous measurement year until the final performance target is reached. When measuring performance, the commissioner must consider the difference in health risk in a managed care or county-based purchasing plan's membership in the baseline year compared to the measurement year, and work with the managed care or county-based purchasing plan to account for differences that they agree are significant.

The withheld funds must be returned no sooner than July 1 and no later than July 31 of the following calendar year if the managed care plan or county-based purchasing plan demonstrates to the satisfaction of the commissioner that a reduction in the utilization rate was achieved. The commissioner shall structure the withhold so that the commissioner returns a portion of the withheld funds in amounts commensurate with achieved reductions in utilization less than the targeted amount.

The withhold described in this paragraph shall continue for each consecutive contract period until the plan's emergency room utilization rate for state health care program enrollees is reduced by 25 percent of the plan's emergency room utilization rate for medical assistance and MinnesotaCare enrollees for calendar year 2009. Hospitals shall cooperate with the health plans in meeting this performance target and shall accept payment withholds that may be returned to the hospitals if the performance target is achieved.

(f) Effective for services rendered on or after January 1, 2012, the commissioner shall include as part of the performance targets described in paragraph (c) a reduction in the plan's hospitalization admission rate for medical assistance and MinnesotaCare enrollees, as determined by the commissioner. To earn the return of the withhold each year, the managed care plan or county-based purchasing plan must achieve a qualifying reduction of no less than five percent of the plan's hospital admission rate for medical assistance and MinnesotaCare enrollees, excluding enrollees in programs described in subdivisions 23 and 28, compared to the previous calendar year until the final performance target is reached. When measuring performance, the commissioner must consider the difference in health risk in a managed care or county-based purchasing plan's membership in the baseline year compared to the measurement year, and work with the managed care or county-based purchasing plan to account for differences that they agree are significant.

The withheld funds must be returned no sooner than July 1 and no later than July 31 of the following calendar year if the managed care plan or county-based purchasing plan demonstrates to the satisfaction of the commissioner that this reduction in the hospitalization rate was achieved. The commissioner shall structure the withhold so that the commissioner returns a portion of the withheld funds in amounts commensurate with achieved reductions in utilization less than the targeted amount.

The withhold described in this paragraph shall continue until there is a 25 percent reduction in the hospital admission rate compared to the hospital admission rates in calendar year 2011, as determined by the commissioner. The hospital admissions in this performance target do not include the admissions applicable to the subsequent hospital admission performance target under paragraph (g). Hospitals shall cooperate with the plans in meeting this performance target and shall accept payment withholds that may be returned to the hospitals if the performance target is achieved.

(g) Effective for services rendered on or after January 1, 2012, the commissioner shall include as part of the performance targets described in paragraph (c) a reduction in the plan's hospitalization admission rates for subsequent hospitalizations within 30 days of a previous hospitalization of a patient regardless of the reason, for medical assistance and MinnesotaCare enrollees, as determined by the commissioner. To earn the return of the withhold each year, the managed care plan or county-based purchasing plan must achieve a qualifying reduction of the subsequent hospitalization rate for medical assistance and MinnesotaCare enrollees, excluding enrollees in programs described in subdivisions 23 and 28, of no less than five percent compared to the previous calendar year until the final performance target is reached.

The withheld funds must be returned no sooner than July 1 and no later than July 31 of the following calendar year if the managed care plan or county-based purchasing plan demonstrates to the satisfaction of the commissioner that a qualifying reduction in the subsequent hospitalization rate was achieved. The commissioner shall structure the withhold so that the commissioner returns a portion of the withheld funds in amounts commensurate with achieved reductions in utilization less than the targeted amount.

The withhold described in this paragraph must continue for each consecutive contract period until the plan's subsequent hospitalization rate for medical assistance and MinnesotaCare enrollees, excluding enrollees in programs described in subdivisions 23 and 28, is reduced by 25 percent of the plan's subsequent hospitalization rate for calendar year 2011. Hospitals shall cooperate with the plans in meeting this performance target and shall accept payment withholds that must be returned to the hospitals if the performance target is achieved.

(h) Effective for services rendered on or after January 1, 2013, through December 31, 2013, the commissioner shall withhold 4.5 percent of managed care plan payments under this section and county-based purchasing plan payments under section 256B.692 for the prepaid medical assistance program. The withheld funds must be returned no sooner than July 1 and no later than July 31 of the following year. The commissioner may exclude special demonstration projects under subdivision 23.

(i) Effective for services rendered on or after January 1, 2014, the commissioner shall withhold three percent of managed care plan payments under this section and county-based purchasing plan payments under section 256B.692 for the prepaid medical assistance program. The withheld funds must be returned no sooner than July 1 and no later than July 31 of the following year. The commissioner may exclude special demonstration projects under subdivision 23.

(j) A managed care plan or a county-based purchasing plan under section 256B.692 may include as admitted assets under section 62D.044 any amount withheld under this section that is reasonably expected to be returned.

(k) Contracts between the commissioner and a prepaid health plan are exempt from the set-aside and preference provisions of section 16C.16, subdivisions 6, paragraph (a), and 7.

(l) The return of the withhold under paragraphs (h) and (i) is not subject to the requirements of paragraph (c).

(m) Managed care plans and county-based purchasing plans shall maintain current and fully executed agreements for all subcontractors, including bargaining groups, for administrative services that are expensed to the state's public programs. Subcontractor agreements must be in the form of a written instrument or electronic document containing the elements of offer, acceptance, and consideration, and include sufficient detail on payment terms, scope, and duration of the contract to verify the payment amounts and how the subcontractor services relate to state public programs. Upon request, the commissioner shall have access to all subcontractor documentation under this paragraph. Nothing in this paragraph shall allow release of information that is nonpublic data pursuant to section 13.02.

Sec. 3. Minnesota Statutes 2014, section 256B.69, subdivision 5i, is amended to read:

Subd. 5i. **Administrative expenses.** ~~(a) Managed care plan and county-based purchasing plan~~ Administrative costs ~~for a prepaid health plan provided~~ paid to managed care plans under this section ~~or, section 256B.692, or section 256L.12~~ must not exceed ~~by more than five 6.6 percent that prepaid health plan's or county-based purchasing plan's actual calculated administrative spending for the previous calendar year as a percentage of total revenue of total managed care plan payments in aggregate across all state public programs for each calendar year. The penalty for exceeding this limit must be the amount of administrative spending in excess of 105 percent of the actual calculated amount. The commissioner may waive this penalty if the excess administrative spending is the result of unexpected shifts in enrollment or member needs or new program requirements. The commissioner may reduce or eliminate administrative requirements to meet the administrative cost limit. For purposes of this paragraph, administrative costs do not include premium taxes paid under section 297I.05, subdivision 5, and provider surcharges paid under section 256.9657, subdivision 3.~~

(b) The following expenses are not allowable administrative expenses for rate-setting purposes under this section:

(1) charitable contributions made by the managed care plan or the county-based purchasing plan;

(2) any portion of an individual's compensation in excess of \$200,000 paid by the managed care plan or county-based purchasing plan, inclusive of all individual state public programs;

(3) any penalties or fines assessed against the managed care plan or county-based purchasing plan; and

(4) any indirect marketing or advertising expenses of the managed care plan or county-based purchasing plan, including but not limited to costs to promote the managed care plan, costs of facilities used and related to special events, displays, demonstrations, donations, and promotional items, such as memorabilia, models, gifts, and souvenirs;

(5) any lobbying and political activities, events, or contributions;

(6) administrative expenses related to the provision of services not covered under the state plan or waiver;

(7) alcoholic beverages and related costs;

(8) membership in any social, dining, or country club or organization; and

(9) entertainment, including amusement, diversion, and social activities, and any costs directly associated with these costs, including but not limited to tickets to shows or sporting events, meals, lodging, rentals, transportation, and gratuities.

For the purposes of this subdivision, compensation includes salaries, bonuses and incentives, other reportable compensation on an IRS 990 form, retirement and other deferred compensation, and nontaxable benefits. Contributions include payments for or to any organization or entity selected by the health maintenance organization that is operated for charitable, educational, political, religious, or scientific purposes and not related to the provision of medical and administrative services covered under the medical assistance and MinnesotaCare programs.

(c) For administrative services expensed to the state's public programs, managed care plans and county-based purchasing plans must clearly identify and separately record expense items listed under paragraph (b) in their accounting systems in a manner that allows for independent verification of unallowable expenses for purposes of determining payment rates for state public health care programs.

Sec. 4. Minnesota Statutes 2014, section 256B.69, subdivision 9c, is amended to read:

Subd. 9c. **Managed care financial reporting.** (a) The commissioner shall collect detailed data regarding financials, provider payments, provider rate methodologies, and other data as determined by the commissioner. The commissioner, in consultation with the commissioners of health and commerce, and in consultation with managed care plans and county-based purchasing plans, shall set uniform criteria, definitions, and standards for the data to be submitted, and shall require managed care and county-based purchasing plans to comply with these criteria, definitions, and standards when submitting data under this section. In carrying out the responsibilities of this subdivision, the commissioner shall ensure that the data collection is implemented in an integrated and coordinated manner that avoids unnecessary duplication of effort. To the extent possible, the commissioner shall use existing data sources and streamline data collection in order to reduce public and private sector administrative costs. Nothing in this subdivision shall allow release of information that is nonpublic data pursuant to section 13.02.

(b) Effective January 1, 2014, each managed care and county-based purchasing plan must quarterly provide to the commissioner the following information on state public programs, in the form and manner specified by the commissioner, according to guidelines developed by the commissioner in consultation with managed care plans and county-based purchasing plans under contract:

- (1) an income statement by program;
- (2) financial statement footnotes;
- (3) quarterly profitability by program and population group;
- (4) a medical liability summary by program and population group;
- (5) received but unpaid claims report by program;
- (6) services versus payment lags by program for hospital services, outpatient services, physician services, other medical services, and pharmaceutical benefits;
- (7) utilization reports that summarize utilization and unit cost information by program for hospitalization services, outpatient services, physician services, and other medical services;
- (8) pharmaceutical statistics by program and population group for measures of price and utilization of pharmaceutical services;
- (9) subcapitation expenses by population group;
- (10) third-party payments by program;

- (11) all new, active, and closed subrogation cases by program;
 - (12) all new, active, and closed fraud and abuse cases by program;
 - (13) medical loss ratios by program;
 - (14) administrative expenses by category and subcategory by program that reconcile to other state and federal regulatory agencies;
 - (15) revenues by program, including investment income;
 - (16) nonadministrative service payments, provider payments, and reimbursement rates by provider type or service category, by program, paid by the managed care plan under this section or the county-based purchasing plan under section 256B.692 to providers and vendors for administrative services under contract with the plan, including but not limited to:
 - (i) individual-level provider payment and reimbursement rate data;
 - (ii) provider reimbursement rate methodologies by provider type, by program, including a description of alternative payment arrangements and payments outside the claims process;
 - (iii) data on implementation of legislatively mandated provider rate changes; and
 - (iv) individual-level provider payment and reimbursement rate data and plan-specific provider reimbursement rate methodologies by provider type, by program, including alternative payment arrangements and payments outside the claims process, provided to the commissioner under this subdivision are nonpublic data as defined in section 13.02;
 - (17) data on the amount of reinsurance or transfer of risk by program; and
 - (18) contribution to reserve, by program.
- (c) In the event a report is published or released based on data provided under this subdivision, the commissioner shall provide the report to managed care plans and county-based purchasing plans 15 days prior to the publication or release of the report. Managed care plans and county-based purchasing plans shall have 15 days to review the report and provide comment to the commissioner.

The quarterly reports shall be submitted to the commissioner no later than 60 days after the end of the previous quarter, except the fourth-quarter report, which shall be submitted by April 1 of each year. The fourth-quarter report shall include audited financial statements, parent company audited financial statements, an income statement reconciliation report, and any other documentation necessary to reconcile the detailed reports to the audited financial statements.

(d) Managed care plans and county-based plans shall certify to the commissioner for the purposes of financial reporting for state public health care programs under this subdivision, and for reporting to the commissioner of health under section 62D.08, that costs reported for state public health care programs include:

- (1) only services covered under the state plan and waivers, and related allowable administrative expenses; and
- (2) the dollar value of unallowable and nonstate plan services, including both medical and administrative expenditures, that have been excluded.

Sec. 5. Minnesota Statutes 2014, section 256B.69, subdivision 9d, is amended to read:

Subd. 9d. **Financial audit and quality assurance audits.** ~~(a) The legislative auditor shall contract with an audit firm to conduct a biennial independent third party financial audit of the information required to be provided by managed care plans and county based purchasing plans under subdivision 9c, paragraph (b). The audit shall be conducted in accordance with generally accepted government auditing standards issued by the United States Government Accountability Office. The contract with the audit firm shall be designed and administered so as to render the independent third party audit eligible for a federal subsidy, if available. The contract shall require the audit to include a determination of compliance with the federal Medicaid rate certification process. The contract shall require the audit to determine if the administrative expenses and investment income reported by the managed care plans and county based purchasing plans are compliant with state and federal law.~~

~~(b) For purposes of this subdivision, "independent third party" means an audit firm that is independent in accordance with government auditing standards issued by the United States Government Accountability Office and licensed in accordance with chapter 326A. An audit firm under contract to provide services in accordance with this subdivision must not have provided services to a managed care plan or county based purchasing plan during the period for which the audit is being conducted.~~

~~(c) (a) The commissioner shall require, in the request for bids and resulting contracts with managed care plans and county-based purchasing plans under this section and section 256B.692, that each managed care plan and county-based purchasing plan submit to and fully cooperate with the independent third-party financial audit audits by the legislative auditor under subdivision 9e of the information required under subdivision 9c, paragraph (b). Each contract with a managed care plan or county-based purchasing plan under this section or section 256B.692 must provide the commissioner and the audit firm vendors contracting with the legislative auditor access to all data required to complete the audit. For purposes of this subdivision, the contracting audit firm shall have the same investigative power as the legislative auditor under section 3.978, subdivision 2 audits under subdivision 9e.~~

~~(d) (b) Each managed care plan and county-based purchasing plan providing services under this section shall provide to the commissioner biweekly encounter data and claims data for state public health care programs and shall participate in a quality assurance program that verifies the timeliness, completeness, accuracy, and consistency of the data provided. The commissioner shall develop written protocols for the quality assurance program and shall make the protocols publicly available. The commissioner shall contract for an independent third-party audit to evaluate the quality assurance protocols as to the capacity of the protocols to ensure complete and accurate data and to evaluate the commissioner's implementation of the protocols. The audit firm under contract to provide this evaluation must meet the requirements in paragraph (b).~~

~~(e) Upon completion of the audit under paragraph (a) and receipt by the legislative auditor, the legislative auditor shall provide copies of the audit report to the commissioner, the state auditor, the attorney general, and the chairs and ranking minority members of the health and human services finance committees of the legislature. (c) Upon completion of the evaluation under paragraph (d) (b), the commissioner shall provide copies of the report to the legislative auditor and the chairs and ranking minority members of the health finance committees of the legislature legislative committees with jurisdiction over health care policy and financing.~~

~~(f) (d) Any actuary under contract with the commissioner to provide actuarial services must meet the independence requirements under the professional code for fellows in the Society of Actuaries and must not have provided actuarial services to a managed care plan or county-based purchasing plan that is under contract with the commissioner pursuant to this section and section 256B.692 during the period in which the actuarial services are being provided. An actuary or actuarial firm meeting the requirements of this paragraph must certify and attest to the rates paid to the managed care plans and county-based purchasing plans under this section and section 256B.692, and the certification and attestation must be auditable.~~

(e) The commissioner shall conduct ad hoc audits of managed care organizations' administrative and medical expenses. This includes: financial and encounter data reported to the commissioner under subdivision 9c, including payments to providers and subcontractors; supporting documentation for expenditures; categorization of administrative and medical expenses; and allocation methods used to attribute administrative expenses to state public programs. These audits also must monitor compliance with data and financial certifications provided to the commissioner for the purposes of managed care capitation payment rate-setting. The managed care plans and county-based purchasing plans shall fully cooperate with the audits in this subdivision. The commissioner shall impose a financial penalty for plans that fail to comply with this subdivision.

~~(e)~~ (f) Nothing in this subdivision shall allow the release of information that is nonpublic data pursuant to section 13.02.

Sec. 6. Minnesota Statutes 2014, section 256B.69, is amended by adding a subdivision to read:

Subd. 9e. **Financial audits.** (a) The legislative auditor shall contract with vendors to conduct independent third-party financial audits of the information required to be provided by managed care plans and county-based purchasing plans under subdivision 9c, paragraph (b). The audits by the vendors shall be conducted as vendor resources permit and in accordance with generally accepted government auditing standards issued by the United States Government Accountability Office. The contract with the vendors shall be designed and administered so as to render the independent third-party audits eligible for a federal subsidy, if available. The contract shall require the audits to include a determination of compliance with the federal Medicaid rate certification process.

(b) For purposes of this subdivision, "independent third-party" means a vendor that is independent in accordance with government auditing standards issued by the United States Government Accountability Office.

Sec. 7. Laws 2008, chapter 363, article 18, section 3, subdivision 5, is amended to read:

Subd. 5. **Basic Health Care Grants**

(a) **MinnesotaCare Grants**

Health Care Access	-0-	(770,000)
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Incentive Program and Outreach Grants. Of the appropriation for the Minnesota health care outreach program in Laws 2007, chapter 147, article 19, section 3, subdivision 7, paragraph (b):

(1) \$400,000 in fiscal year 2009 from the general fund and \$200,000 in fiscal year 2009 from the health care access fund are for the incentive program under Minnesota Statutes, section 256.962, subdivision 5. For the biennium beginning July 1, 2009, base level funding for this activity shall be \$360,000 from the general fund and \$160,000 from the health care access fund; and

(2) \$100,000 in fiscal year 2009 from the general fund and \$50,000 in fiscal year 2009 from the health care access fund are for the outreach grants under Minnesota Statutes, section 256.962, subdivision 2. For the biennium beginning July 1, 2009, base level funding for this activity shall be \$90,000 from the general fund and \$40,000 from the health care access fund.

(b) MA Basic Health Care Grants - Families and Children

-0-

(17,280,000)

Third-Party Liability. (a) During fiscal year 2009, the commissioner shall employ a contractor paid on a percentage basis to improve third-party collections. Improvement initiatives may include, but not be limited to, efforts to improve postpayment collection from nonresponsive claims and efforts to uncover third-party payers the commissioner has been unable to identify.

(b) In fiscal year 2009, the first \$1,098,000 of recoveries, after contract payments and federal repayments, is appropriated to the commissioner for technology-related expenses.

~~**Administrative Costs.** (a) For contracts effective on or after January 1, 2009, the commissioner shall limit aggregate administrative costs paid to managed care plans under Minnesota Statutes, section 256B.69, and to county-based purchasing plans under Minnesota Statutes, section 256B.692, to an overall average of 6.6 percent of total contract payments under Minnesota Statutes, sections 256B.69 and 256B.692, for each calendar year. For purposes of this paragraph, administrative costs do not include premium taxes paid under Minnesota Statutes, section 297I.05, subdivision 5, and provider surcharges paid under Minnesota Statutes, section 256.9657, subdivision 3.~~

~~(b) Notwithstanding any law to the contrary, the commissioner may reduce or eliminate administrative requirements to meet the administrative target under paragraph (a).~~

~~(c) Notwithstanding any contrary provision of this article, this rider shall not expire.~~

Hospital Payment Delay. Notwithstanding Laws 2005, First Special Session chapter 4, article 9, section 2, subdivision 6, payments from the Medicaid Management Information System that would otherwise have been made for inpatient hospital services for medical assistance enrollees are delayed as follows: (1) for fiscal year 2008, June payments must be included in the first payments in fiscal year 2009; and (2) for fiscal year 2009, June payments must be included in the first payment of fiscal year 2010. The provisions of Minnesota Statutes, section 16A.124, do not apply to these delayed payments. Notwithstanding any contrary provision in this article, this paragraph expires on June 30, 2010.

(c) MA Basic Health Care Grants - Elderly and Disabled

(14,028,000)

(9,368,000)

Minnesota Disability Health Options Rate Setting Methodology. The commissioner shall develop and implement a methodology for risk adjusting payments for community alternatives for disabled individuals (CADI) and traumatic brain injury (TBI) home and community-based waiver services delivered

under the Minnesota disability health options program (MnDHO) effective January 1, 2009. The commissioner shall take into account the weighting system used to determine county waiver allocations in developing the new payment methodology. Growth in the number of enrollees receiving CADI or TBI waiver payments through MnDHO is limited to an increase of 200 enrollees in each calendar year from January 2009 through December 2011. If those limits are reached, additional members may be enrolled in MnDHO for basic care services only as defined under Minnesota Statutes, section 256B.69, subdivision 28, and the commissioner may establish a waiting list for future access of MnDHO members to those waiver services.

MA Basic Elderly and Disabled Adjustments. For the fiscal year ending June 30, 2009, the commissioner may adjust the rates for each service affected by rate changes under this section in such a manner across the fiscal year to achieve the necessary cost savings and minimize disruption to service providers, notwithstanding the requirements of Laws 2007, chapter 147, article 7, section 71.

(d) General Assistance Medical Care Grants	-0-	(6,971,000)
(e) Other Health Care Grants	-0-	(17,000)

MinnesotaCare Outreach Grants Special Revenue Account. The balance in the MinnesotaCare outreach grants special revenue account on July 1, 2009, estimated to be \$900,000, must be transferred to the general fund.

Grants Reduction. Effective July 1, 2008, base level funding for nonforecast, general fund health care grants issued under this paragraph shall be reduced by 1.8 percent at the allotment level."

Delete the title and insert:

"A bill for an act relating to human services; modifying and clarifying financial reporting requirements for managed care and county-based purchasing plans serving state public program enrollees; setting requirements related to subcontracts; modifying requirements related to administrative costs; clarifying not allowable administrative expenses; requiring third-party financial audits and ad hoc audits; amending Minnesota Statutes 2014, sections 62D.08, subdivision 7; 256B.69, subdivisions 5a, 5i, 9c, 9d, by adding a subdivision; Laws 2008, chapter 363, article 18, section 3, subdivision 5."

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 30, 222, 1379, 1549, 1554, 1695 and 1718 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 152 and 209 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ward; Murphy, E., and Persell introduced:

H. F. No. 2098, A bill for an act relating to early childhood; providing state supplemental funding for the child and adult care food program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Education Finance.

Mariani, Gunther, Baker, Moran and Allen introduced:

H. F. No. 2099, A bill for an act relating to workforce development; appropriating money for a grant to the Emerging Workforce Coalition.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Lesch; Scott; Atkins; Dehn, R.; Schoen and Applebaum introduced:

H. F. No. 2100, A bill for an act relating to law enforcement; establishing a task force on body camera implementation; enacting a moratorium on body camera use until the work of the task force is complete.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Smith introduced:

H. F. No. 2101, A bill for an act relating to workforce development; modifying the workforce development fund special assessment; amending Minnesota Statutes 2014, section 116L.20, subdivision 1.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Mullery introduced:

H. F. No. 2102, A bill for an act relating to economic development; appropriating money for economic growth in emerging markets.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Gruenhagen and Drazkowski introduced:

H. F. No. 2103, A bill for an act relating to public employment; forbidding collective bargaining contracts in which the cost exceeds the growth in private sector gross domestic product; proposing coding for new law in Minnesota Statutes, chapter 179A.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Albright, Halverson, Isaacson, Nash, Uglem, Laine, Selcer, Yarusso, Schoen, Sanders, Pugh, Scott, Fenton, Lohmer and Runbeck introduced:

H. F. No. 2104, A bill for an act relating to metropolitan government; establishing a Blue Ribbon Commission to study and make recommendations on metropolitan governance; appropriating money.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Persell and Anzelc introduced:

H. F. No. 2105, A bill for an act relating to telecommunications; providing a grant to the Leech Lake Band of Ojibwe for wireless broadband; appropriating money.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Quam introduced:

H. F. No. 2106, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

The bill was read for the first time and referred to the Committee on Ways and Means.

Cornish and Hilstrom introduced:

H. F. No. 2107, A bill for an act relating to criminal justice; modifying the thresholds for certain controlled substance crimes; creating new offenses specific to the possession of marijuana plants; eliminating mandatory minimum sentences for lower level controlled substance crimes while modifying the mandatory minimums for first

and second degree crimes; appropriating money; amending Minnesota Statutes 2014, sections 152.01, subdivisions 10, 16a, by adding a subdivision; 152.021, subdivisions 1, 2, 3, by adding a subdivision; 152.022, subdivisions 1, 2, 3, by adding a subdivision; 152.023, subdivisions 2, 3; 152.024, subdivision 3; 152.025, subdivisions 1, 2; 152.026; 152.18, subdivision 1; 244.10, subdivision 5a; 609.11, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 241.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Hamilton introduced:

H. F. No. 2108, A bill for an act relating to transportation; providing for financing of transportation; making appropriations; establishing certain transportation aids; authorizing sale and issuance of state bonds; amending Minnesota Statutes 2014, sections 97A.055, subdivision 2; 161.088, by adding a subdivision; 297A.94; proposing coding for new law in Minnesota Statutes, chapter 162.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Rarick, Swedzinski, Poppe and Lillie introduced:

H. F. No. 2109, A bill for an act relating to capital investment; establishing a program for grants to counties and county agricultural societies for fairground improvements; appropriating money; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 38.

The bill was read for the first time and referred to the Committee on Agriculture Finance.

Nash; Kahn; Sanders; Anderson, S., and Albright introduced:

H. F. No. 2110, A bill for an act relating to state government; changing MN.IT operating provisions; changing information technology provisions; requiring reports; requiring criteria for state data storage; changing an information technology appropriation transfer; amending Minnesota Statutes 2014, sections 16E.01; 16E.016; 16E.0465; 16E.14, subdivision 3; 16E.145; 16E.19, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16E.

The bill was read for the first time and referred to the Committee on State Government Finance.

Liebling, Schultz, Thissen, Mack, Fischer, Freiberg, Persell, Laine, Loeffler, Bly, Baker, Quam and Drzakowski introduced:

H. F. No. 2111, A bill for an act relating to human services; modifying and clarifying financial reporting requirements for managed care and county-based purchasing plans serving state public program enrollees; setting requirements related to subcontracts; modifying requirements related to administrative costs; clarifying not allowable administrative expenses; requiring third-party financial audits and ad hoc audits; amending Minnesota Statutes 2014, sections 62D.08, subdivision 7; 256B.69, subdivisions 5a, 5i, 9c, 9d, by adding a subdivision; Laws 2008, chapter 363, article 18, section 3, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Garofalo introduced:

H. F. No. 2112, A bill for an act relating to capital investment; appropriating money for a grant to the city of Dennison for sewage treatment system improvements; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Carlson and Slocum introduced:

H. F. No. 2113, A bill for an act relating to education finance; modifying special education payments for certain charter schools; amending Minnesota Statutes 2014, section 124D.11, subdivision 5, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Finance.

Davnie introduced:

H. F. No. 2114, A bill for an act relating to taxation; property; modifying additional property tax refund; amending Minnesota Statutes 2014, section 290A.04, subdivision 2h.

The bill was read for the first time and referred to the Committee on Taxes.

Swedzinski introduced:

H. F. No. 2115, A bill for an act relating to education; modifying certain school reporting requirements; requiring a report; amending Minnesota Statutes 2014, sections 120B.11, subdivision 5; 127A.05, by adding a subdivision; repealing Minnesota Statutes 2014, section 122A.60, subdivision 4.

The bill was read for the first time and referred to the Committee on Education Innovation Policy.

Torkelson and Johnson, C., introduced:

H. F. No. 2116, A bill for an act relating to transportation; appropriating money for reconstruction of marked U.S. Highway 14 between the cities of New Ulm and Nicollet; authorizing the sale and issuance of trunk highway bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Garofalo introduced:

H. F. No. 2117, A bill for an act relating to economic development; appropriating money for STEP grants.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Garofalo introduced:

H. F. No. 2118, A bill for an act relating to housing; appropriating money for the Homeless Management Information System.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Kahn introduced:

H. F. No. 2119, A bill for an act relating to local government; authorizing managed natural landscapes; prohibiting local ordinances that prohibit natural landscapes; proposing coding for new law in Minnesota Statutes, chapter 471.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Anzelski introduced:

H. F. No. 2120, A bill for an act relating to capital investment; appropriating money for a bridge over the Popple River in Itasca County; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1563.

JOANNE M. ZOFF, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1563, A bill for an act relating to public safety; requiring the Bureau of Criminal Apprehension to do background checks at the request of Indian tribes; proposing coding for new law in Minnesota Statutes, chapter 299C.

The bill was read for the first time.

Green moved that S. F. No. 1563 and H. F. No. 1432, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

MOTIONS AND RESOLUTIONS

Dauids moved that the name of Knoblach be added as an author on H. F. No. 29. The motion prevailed.

Zerwas moved that the name of O'Neill be added as an author on H. F. No. 236. The motion prevailed.

Fabian moved that the name of Sanders be added as an author on H. F. No. 307. The motion prevailed.

Dettmer moved that the names of Erhardt, Pierson and Hancock be added as authors on H. F. No. 312. The motion prevailed.

Urdahl moved that the name of Hornstein be added as an author on H. F. No. 391. The motion prevailed.

Zerwas moved that the name of Johnson, B., be added as an author on H. F. No. 425. The motion prevailed.

Uglem moved that his name be stricken as an author on H. F. No. 437. The motion prevailed.

Mahoney moved that the name of Lillie be added as an author on H. F. No. 454. The motion prevailed.

Schoen moved that the name of Dettmer be added as an author on H. F. No. 506. The motion prevailed.

Norton moved that the name of Loeffler be added as an author on H. F. No. 702. The motion prevailed.

Schomacker moved that the name of Mullery be added as an author on H. F. No. 870. The motion prevailed.

Hilstrom moved that the name of Dehn, R., be added as an author on H. F. No. 889. The motion prevailed.

Drazkowski moved that the name of Miller be added as an author on H. F. No. 1049. The motion prevailed.

Miller moved that the name of Fischer be added as an author on H. F. No. 1061. The motion prevailed.

Albright moved that the name of Franson be added as an author on H. F. No. 1062. The motion prevailed.

Howe moved that the name of Fischer be added as an author on H. F. No. 1100. The motion prevailed.

McDonald moved that the name of Mullery be added as an author on H. F. No. 1148. The motion prevailed.

Davnie moved that the name of Loeffler be added as an author on H. F. No. 1219. The motion prevailed.

Torkelson moved that the name of Poppe be added as an author on H. F. No. 1327. The motion prevailed.

Hackbarth moved that the name of Nash be added as an author on H. F. No. 1354. The motion prevailed.

Mack moved that the name of Backer be added as an author on H. F. No. 1443. The motion prevailed.

Schultz moved that the name of Lien be added as an author on H. F. No. 1449. The motion prevailed.

Marquart moved that the name of Lien be added as an author on H. F. No. 1452. The motion prevailed.

Drazkowski moved that the name of Gruenhagen be added as an author on H. F. No. 1460. The motion prevailed.

Heintzeman moved that the name of Dill be shown as chief author on H. F. No. 1483. The motion prevailed.

Pelowski moved that his name be stricken as an author on H. F. No. 1517. The motion prevailed.

Miller moved that the names of Smith and McDonald be added as authors on H. F. No. 1546. The motion prevailed.

Newton moved that the name of Lien be added as an author on H. F. No. 1571. The motion prevailed.

Hilstrom moved that the name of Lien be added as an author on H. F. No. 1647. The motion prevailed.

Pierson moved that the name of Johnson, C., be added as an author on H. F. No. 1714. The motion prevailed.

Christensen moved that the name of Vogel be added as an author on H. F. No. 1725. The motion prevailed.

Pinto moved that the name of Lien be added as an author on H. F. No. 1776. The motion prevailed.

Slocum moved that the name of Davids be added as an author on H. F. No. 1825. The motion prevailed.

Selcer moved that the name of Lien be added as an author on H. F. No. 1849. The motion prevailed.

Hamilton moved that the name of Slocum be added as an author on H. F. No. 1852. The motion prevailed.

Winkler moved that the name of Slocum be added as an author on H. F. No. 1861. The motion prevailed.

Hancock moved that the name of Slocum be added as an author on H. F. No. 1891. The motion prevailed.

Mariani moved that the name of Slocum be added as an author on H. F. No. 1896. The motion prevailed.

Simonson moved that the name of Lien be added as an author on H. F. No. 1900. The motion prevailed.

Hornstein moved that the name of Lien be added as an author on H. F. No. 1922. The motion prevailed.

Persell moved that the name of Lien be added as an author on H. F. No. 1932. The motion prevailed.

Hausman moved that the name of Lien be added as an author on H. F. No. 1954. The motion prevailed.

Marquart moved that the name of Kahn be added as an author on H. F. No. 2018. The motion prevailed.

Bernardy moved that the names of Newton and Kahn be added as authors on H. F. No. 2036. The motion prevailed.

Hausman moved that the name of Kahn be added as an author on H. F. No. 2045. The motion prevailed.

Lohmer moved that the name of Erickson be added as an author on H. F. No. 2080. The motion prevailed.

Davids moved that the name of Slocum be added as an author on H. F. No. 2084. The motion prevailed.

Clark moved that the name of Slocum be added as an author on H. F. No. 2086. The motion prevailed.

Dean, M., moved that the name of Thissen be added as an author on H. F. No. 2091. The motion prevailed.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 3:30 p.m., Thursday, March 26, 2015. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and Speaker pro tempore O'Driscoll declared the House stands adjourned until 3:30 p.m., Thursday, March 26, 2015.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

