

STATE OF MINNESOTA

EIGHTY-NINTH SESSION — 2016

SEVENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 1, 2016

The House of Representatives convened at 9:00 a.m. and was called to order by Kurt Daudt, Speaker of the House.

Prayer was offered by the Reverend Roger Allmendinger, Arlington Hills Lutheran Church, St. Paul, 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:

Anderson, C.	Dettmer	Heintzeman	Loonan	O'Driscoll	Smith
Anderson, M.	Drazkowski	Hertaus	Lucero	O'Neill	Sundin
Anderson, P.	Ecklund	Hornstein	Lueck	Pelowski	Swedzinski
Anderson, S.	Erickson	Howe	Mack	Peppin	Theis
Applebaum	Fabian	Isaacson	Mariani	Petersburg	Thissen
Baker	Fenton	Johnson, B.	Marquart	Peterson	Torkelson
Barrett	Fischer	Johnson, C.	Masin	Pierson	Uglen
Bennett	Flanagan	Johnson, S.	McDonald	Pinto	Urdahl
Bernardy	Franson	Kelly	McNamara	Pugh	Vogel
Bly	Freiberg	Kiel	Metsa	Quam	Wagenius
Carlson	Garofalo	Knoblach	Miller	Rarick	Ward
Christensen	Green	Koznick	Moran	Rosenthal	Whelan
Clark	Gunther	Kresha	Murphy, M.	Runbeck	Wills
Considine	Hackbarth	Lesch	Nash	Sanders	Yarusso
Cornish	Halverson	Liebling	Nelson	Schoen	Youakim
Daniels	Hamilton	Lien	Newberger	Schomacker	Zerwas
Davids	Hancock	Lillie	Newton	Scott	Spk. Daudt
Davnie	Hansen	Lohmer	Nornes	Selcer	
Dean, M.	Hausman	Loon	Norton	Simonson	

A quorum was present.

Albright; Allen; Anzelc; Atkins; Backer; Dehn, R.; Erhardt; Gruenhagen; Hilstrom; Hoppe; Hortman; Kahn; Laine; Loeffler; Mahoney; Melin; Mullery; Murphy, E.; Persell; Poppe; Schultz and Slocum 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 STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 963, A bill for an act relating to utilities; establishing requirements relating to crossing railroad rights-of-way by utilities; proposing coding for new law in Minnesota Statutes, chapter 237.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 216B.62, is amended by adding a subdivision to read:

Subd. 5b. **Assessments for certain right-of-way proceedings.** The commission and department may charge a railroad, as defined in section 237.045, subdivision 1, paragraph (e), and a utility as defined in section 237.045, subdivision 1, paragraph (f), for their proportionate share of expenses incurred by the commission and department in the review and disposition of disputes contained in petitions filed under section 237.045. A railroad or utility that objects to an assessment of the commission or department made under this subdivision has the same right to appeal the assessment under subdivision 4 as does a public utility.

Sec. 2. **[237.045] RAILROAD RIGHTS-OF-WAY; CROSSING OR PARALLELING BY UTILITIES.**

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

(b) "Crossing" means the construction, operation, repair, or maintenance of a utility facility over, under, or across a railroad right-of-way. The term includes longitudinal occupancy of railroad right-of-way.

(c) "Facility" means any item of personal property placed over, across, or underground for use in connection with the storage or conveyance of:

(1) water;

(2) sewage;

(3) electronic, telephone, or telegraphic communications;

(4) fiber optics;

(5) cablevision;

(6) electric energy;

(7) oil;

(8) gas;

(9) hazardous liquids; or

(10) other facilities including pipes, sewers, conduits, cables, valves, lines, wires, manholes, or attachments.

(d) "Parallel" or "paralleling" means that the relevant utility facilities run adjacent to and alongside the lines of a railroad for no more than one mile, or another distance agreed to by the parties, before the utility facilities cross the railroad lines, terminate, or exit the railroad right-of-way.

(e) "Railroad" means any association, corporation, or other entity engaged in operating a common carrier by rail, or its agents or assigns, including any entity responsible for the management of crossings or collection of crossing fees.

(f) "Utility" means cooperative electric association, electric utility, public utility, transmission company, gas utility, municipal utility, municipal power agency, joint action agency, pipeline company, rural water system, or telephone, telegraph, telecommunications, cable, or fiber optic carrier or their contractors or agents.

Subd. 2. **Application.** This section applies to:

(1) any crossing in existence before the effective date of this section if an agreement concerning the crossing has expired or has been terminated. In such instance, if the collective amount of \$750 has been paid to the railroad during the existence of the crossing, no additional fee is required; and

(2) any crossing commenced on or after the effective date of this section.

Subd. 3. **Right-of-way crossing; application for permission.** (a) Any utility that intends to place a facility across or upon a railroad right-of-way shall request prior permission from the railroad.

(b) The request shall be in the form of a completed crossing application, including a drawing showing the location of the proposed crossing and the railroad's property, tracks, and wires that the utility will cross. The utility shall submit the crossing application on a form provided or approved by the railroad, if available.

(c) The crossing application shall be sent to the railroad by certified mail, with return receipt requested.

(d) The application shall be accompanied by the crossing fee as set forth in subdivision 5, and a certificate of insurance as required by subdivision 6.

Subd. 4. **Right-of-way crossing; construction.** Beginning 30 days after the receipt by the railroad of a completed crossing application, crossing fee, and certificate of insurance, the utility may commence the construction of the crossing unless the railroad notifies the utility in writing that the proposed crossing or paralleling is a serious threat to the safe operations of the railroad or to the current use of the railroad right-of-way.

Subd. 5. **Standard crossing fee.** (a) Unless otherwise agreed by the parties or determined under section 237.04, a utility that crosses a railroad right-of-way, other than a crossing within a public right-of-way, shall pay the railroad a onetime standard crossing fee of \$750 for each crossing. The standard crossing fee is in lieu of any license, permit, application, processing fee, or any other fee or charge to reimburse the railroad for direct expenses incurred by the railroad as a result of the crossing. No other fee or charge may be assessed to the utility by the railroad.

(b) In addition to the standard crossing fee, the utility shall also reimburse the railroad for any reasonable and necessary flagging expense associated with a crossing, based on the railroad traffic at the crossing.

(c) No crossing fee is required if the crossing is located within a public right-of-way.

(d) The placement of a single conduit and its content shall be considered a single facility. No additional fees are payable based on the individual fibers, wires, lines, or other items contained within the conduit.

Subd. 6. **Certificate of insurance; coverage.** (a) The certificate of insurance or coverage submitted by a municipality shall include commercial general liability insurance or an equivalent form with a limit of not less than \$1,000,000 for each occurrence and an aggregate of not less than \$2,000,000.

(b) The certificate of insurance submitted by any other utility, except a gas or hazardous materials pipeline utility, shall include commercial general liability insurance with a combined single limit of a minimum of \$2,000,000 for each occurrence and an aggregate limit of at least \$4,000,000.

(c) The certificate of insurance submitted by a gas or hazardous materials pipeline utility shall include commercial general liability insurance with a combined single limit of a minimum of \$5,000,000 for each occurrence and an aggregate limit of at least \$10,000,000.

(d) The railroad may require protective liability insurance with a combined single limit of \$2,000,000 for each occurrence and \$4,000,000 aggregate. The coverage may be provided by a blanket railroad protective liability insurance policy if the coverage, including the coverage limits, applies separately to each individual crossing. The coverage shall be required only during the period of construction, repair, or replacement of the facility.

(e) The certificate of insurance shall be from an insurer of the utility's choosing.

Subd. 7. **Objection to crossing; petition to Public Utilities Commission.** (a) If a railroad objects to the proposed crossing or paralleling due to the proposal being a serious threat to the safe operations of the railroad or to the current use of the railroad right-of-way, the railroad shall provide to the utility notice of the objection and the specific basis for the objection. The railroad shall send the notice of objection to the utility by certified mail, with return receipt requested.

(b) If the parties are unable to resolve the objection, either party may petition the Public Utilities Commission for their assistance via mediation or arbitration of the disputed crossing application. The petition must be filed within 60 days of receipt of the objection. Before filing a petition, the parties shall make good faith efforts to resolve the objection.

(c) If a petition is filed, the Public Utilities Commission must issue an order within 120 days of filing of the petition. The order may be appealed under chapter 14 and section 216B.27. The Public Utilities Commission shall assess the costs associated with a petition equitably among the parties.

Subd. 8. **Additional requirements; objection and petition to Public Utilities Commission.** (a) If a railroad imposes additional requirements on a utility for crossing its lines, other than the proposed crossing being a serious threat to the safe operations of the railroad or to the current use of the railroad right-of-way, the utility may object to one or more of the requirements. If it objects, the utility shall provide notice of the objection and the specific basis for the objection to the railroad by certified mail, with return receipt requested.

(b) If the parties are unable to resolve the objection, either party may petition the Public Utilities Commission for resolution or modification of the additional requirements. The petition must be filed within 60 days of receipt of the objection. Before filing a petition, the parties shall make good faith efforts to resolve the objection.

(c) If a petition is filed, the Public Utilities Commission shall determine, after notice and opportunity for hearing, whether special circumstances exist that necessitate additional requirements for the placement of the crossing. The Public Utilities Commission must issue an order within 120 days of filing of the petition. The order may be appealed under chapter 14 and section 216B.27. The Public Utilities Commission shall assess the costs associated with a petition equitably among the parties.

Subd. 9. **Existing agreements.** Nothing in this section prevents a railroad and a utility from continuing under an existing agreement, or from otherwise negotiating the terms and conditions applicable to a crossing or the resolution of any disputes relating to the crossing. The use of this section or section 237.04 is optional. Nothing in this section impairs the authority of a utility to secure crossing rights by easement through exercise of the power of eminent domain."

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1099, A bill for an act relating to contracts; modifying and clarifying requirements relating to building and construction contracts; amending Minnesota Statutes 2014, sections 337.01, subdivision 3; 337.05, subdivision 1.

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

The report was adopted.

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

H. F. No. 1182, A bill for an act relating to game and fish; requiring online applications for hunting and fishing licenses to provide for organ donation; requiring a report; amending Minnesota Statutes 2014, sections 13.7931, subdivision 6; 171.075, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

The report was adopted.

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

H. F. No. 1346, A bill for an act relating to transportation; designating a bridge over signed Interstate Highway 94 in St. Paul as John Alleman Memorial Bridge; amending Minnesota Statutes 2014, section 161.14, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1560, A bill for an act relating to health; requiring a patient's initials for each item of consent when requested to release health records; amending Minnesota Statutes 2014, section 144.293, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 15, delete everything after "to" and insert "indicate "yes" or "no""

Page 1, line 16, delete everything after the period

Page 1, delete line 17

Page 1, line 18, delete everything before "The"

Amend the title as follows:

Page 1, line 2, delete "initials for each item of consent" and insert "affirmative consent or nonconsent for each item"

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. 1652, A bill for an act relating to health; making changes to the Minnesota prescription monitoring program; amending Minnesota Statutes 2014, section 152.126, subdivisions 1, 3, 5, 6; repealing Laws 2014, chapter 286, article 7, section 4.

Reported the same back with the following amendments:

Page 5, line 2, strike "(h)" and insert "(i)"

Page 5, after line 14, insert:

"(c) By July 1, 2017, every prescriber licensed by a health-related licensing board listed in section 214.01, subdivision 2, practicing within this state who is authorized to prescribe controlled substances for humans and who holds a current registration issued by the federal Drug Enforcement Administration, and every pharmacist licensed by the board and practicing within the state, shall register and maintain a user account with the prescription monitoring program. Data submitted by a prescriber, pharmacist, or their delegate during the registration application process, other than their name, license number, and license type, is classified as private pursuant to section 13.02, subdivision 12."

Reletter the paragraphs in sequence

Page 5, line 29, strike "(c)" and insert "(d)"

Page 6, strike lines 2 to 4

Page 6, line 24, strike everything after the period

Page 6, strike lines 25 to 28

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.

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

H. F. No. 1948, A bill for an act relating to transportation; increasing fine for certain traffic violations around school buses; amending Minnesota Statutes 2014, section 169.444, subdivision 2.

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

The report was adopted.

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

H. F. No. 2294, A bill for an act relating to marriage; eliminating waiting period for issuance of a marriage license; amending Minnesota Statutes 2014, section 517.08, subdivision 1b.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2015 Supplement, section 517.08, subdivision 1b, is amended to read:

Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall examine upon oath the parties applying for a license relative to the legality of the contemplated civil marriage. If one party is unable to appear in person, the party appearing may complete the absent applicant's information. The local registrar shall provide a copy of the civil marriage application to the party who is unable to appear, who must verify the accuracy of the appearing party's information in a notarized statement. The civil marriage license must not be released until the verification statement has been received by the local registrar. ~~If at the expiration of a five day period, on being the local registrar is~~ satisfied that there is no legal impediment to it, including the restriction contained in section 259.13, the local registrar shall issue the license, containing the full names of the parties before and after the civil marriage, and county and state of residence, with the county seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. Except as provided in paragraph ~~(e)~~ (b), the local registrar shall collect from the applicant a fee of \$115 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital records the reports of civil marriage required by this section. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the local registrar for cancellation, and in that case a new license shall issue upon request of the parties of the original license without fee. A local registrar who knowingly issues or signs a civil marriage license in any manner other than as provided in this section shall pay to the parties aggrieved an amount not to exceed \$1,000.

~~(b) In case of emergency or extraordinary circumstances, a judge of the district court of the county in which the application is made may authorize the license to be issued at any time before expiration of the five day period required under paragraph (a). A waiver of the five day waiting period must be in the following form:~~

~~STATE OF MINNESOTA, COUNTY OF (insert county name)~~

~~APPLICATION FOR WAIVER OF CIVIL MARRIAGE LICENSE WAITING PERIOD:~~

~~..... (legal names of the applicants)~~

~~Represent and state as follows:~~

~~That on (date of application) the applicants applied to the local registrar of the above named county for a license to marry.~~

~~That it is necessary that the license be issued before the expiration of five days from the date of the application by reason of the following: (insert reason for requesting waiver of waiting period)~~

.....
.....
.....

~~WHEREAS, the applicants request that the judge waive the required five day waiting period and the local registrar be authorized and directed to issue the civil marriage license immediately.~~

~~Date:~~

.....
.....

~~(Signatures of applicants)~~

~~Acknowledged before me on this day of~~

.....

NOTARY PUBLIC

~~COURT ORDER AND AUTHORIZATION:~~

~~STATE OF MINNESOTA, COUNTY OF (insert county name)~~

~~After reviewing the above application, I am satisfied that an emergency or extraordinary circumstance exists that justifies the issuance of the civil marriage license before the expiration of five days from the date of the application. IT IS HEREBY ORDERED that the local registrar is authorized and directed to issue the license forthwith.~~

.....
..... (judge of district court)
..... (date).

(e) (b) The civil marriage license fee for parties who have completed at least 12 hours of premarital education is \$40. In order to qualify for the reduced license fee, the parties must submit at the time of applying for the civil marriage license a statement that is signed, dated, and notarized or marked with a church seal from the person who provided the premarital education on their letterhead confirming that it was received. The premarital education must be provided by a licensed or ordained minister or the minister's designee, a person authorized to solemnize civil marriages under section 517.18, or a person authorized to practice marriage and family therapy under section 148B.33. The education must include the use of a premarital inventory and the teaching of communication and conflict management skills.

~~(d)~~ (c) The statement from the person who provided the premarital education under paragraph ~~(e)~~ (b) must be in the following form:

"I, (name of educator), confirm that (names of both parties) received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize civil marriages under Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33."

The names of the parties in the educator's statement must be identical to the legal names of the parties as they appear in the civil marriage license application. Notwithstanding section 138.17, the educator's statement must be retained for seven years, after which time it may be destroyed.

(e) If section 259.13 applies to the request for a civil marriage license, the local registrar shall grant the civil marriage license without the requested name change. Alternatively, the local registrar may delay the granting of the civil marriage license until the party with the conviction:

(1) certifies under oath that 30 days have passed since service of the notice for a name change upon the prosecuting authority and, if applicable, the attorney general and no objection has been filed under section 259.13; or

(2) provides a certified copy of the court order granting it. The parties seeking the civil marriage license shall have the right to choose to have the license granted without the name change or to delay its granting pending further action on the name change request."

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2332, A bill for an act relating to insurance; establishing requirements for merged market health plans; making related changes; amending Minnesota Statutes 2014, sections 62K.15; 62L.02, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[62A.673] MERGED MARKET REGULATION.**

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

(b) "Eligible employer" means an employer with 50 or fewer employees.

(c) "Employer contribution" means any amount given to an employee by an employer as part of a plan or program for the purposes of the Internal Revenue Code, section 105, 106, 125, or 162.

(d) "Merged market" means the market for health insurance coverage offered to individuals and dependents who purchase a group health plan using employer contributions made by an eligible employer, in full or in part, through the individual market or MNsure.

(e) "Merged market health plan" means a group health plan issued to employers on behalf of individual employees and dependents in the individual market or through MNsure, using defined contributions provided by eligible employers.

Subd. 2. Purchase of plans in the merged market. (a) An eligible employer may use an employer contribution to purchase health insurance coverage in the merged market on behalf of an employee and dependents.

(b) An employee and dependents can choose a merged market health plan offered through MNsure or offered outside of MNsure by a health carrier.

(c) An eligible employer may limit the health plans from which an employee can choose in the merged market.

(d) An employee and dependents receiving a group health plan under a plan purchased in the merged market are not eligible for advanced premium tax credits or cost-sharing subsidies offered through MNsure. The commissioner, in cooperation with the commissioner of revenue, shall monitor and enforce compliance with this requirement.

Subd. 3. Regulation. (a) Any coverage purchased in the merged market is a group health plan as defined in section 62A.011, subdivision 1c, and shall also be regulated by:

(1) individual market requirements specified in section 62A.65;

(2) federal small group requirements in United States Code, title 42, sections 300gg and 300gg-1 to 300gg-28; and

(3) requirements in chapter 62K that apply to qualified health plans.

(b) Merged market coverage issued to an eligible employer on behalf of an individual while employed by the employer automatically converts to individual coverage if:

(1) the employer ceases to offer an employer contribution; or

(2) the individual is no longer employed by that eligible employer.

(c) Upon the automatic conversion, the coverage shall be regulated under section 62A.65 and the individual and dependents, if eligible, may receive advanced premium tax credits and cost-sharing subsidies to purchase qualified health plan coverage through MNsure.

(d) An employer offering a merged market health plan that restricts enrollment to new employees who join the health plan within 30 days of their first day of employment or during the annual open enrollment period of MNsure must be guaranteed coverage on a guaranteed issue basis from any health carrier participating in the merged market.

(e) Merged market health plans offered by an eligible employer must include the continuation of coverage provisions if required to do so by the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), Public Law 99-272, as amended, and by state law.

(f) The sale of a group health plan in the merged market by an agent or broker is not a violation of section 62L.12, subdivision 3.

(g) A health carrier shall consider all enrollees in all health plans, other than grandfathered health plans, offered by the health carrier in the individual market and the merged market, both inside and outside of MNsure, to be members of a single risk pool.

EFFECTIVE DATE. This section is effective January 1, 2017, and applies to merged market health plans offered, issued, or renewed on or after that date.

Sec. 2. Minnesota Statutes 2014, section 62K.15, is amended to read:

62K.15 ANNUAL OPEN ENROLLMENT PERIODS.

(a) Health carriers offering individual health plans must limit annual enrollment in the individual market to the annual open enrollment periods for MNsure. Nothing in this section limits the application of special or limited open enrollment periods as defined under the Affordable Care Act.

(b) Health carriers offering individual health plans must inform all applicants at the time of application and enrollees at least annually of the open and special enrollment periods as defined under the Affordable Care Act.

(c) Subject to Code of Federal Regulations, title 45, section 147.104(b)(1), a health insurance carrier offering merged market health plans, as defined in section 62A.673, subdivision 1, must allow an eligible employer to begin purchasing a merged market health plan for its employees at any point during the year. New employees hired by an employer already offering a merged market health plan are subject to employee participation requirements in section 62A.673, subdivision 3.

~~(e)~~ (d) The commissioner of commerce shall enforce this section.

Sec. 3. Minnesota Statutes 2014, section 62L.02, subdivision 27, is amended to read:

Subd. 27. **Small employer market.** (a) "Small employer market" means the market for health benefit plans for small employers.

(b) A health carrier is considered to be participating in the small employer market if the carrier offers, sells, issues, or renews a health benefit plan to: (1) any small employer; or (2) the eligible employees of a small employer offering a health benefit plan if, with the knowledge of the health carrier, either of the following conditions is met:

(i) any portion of the premium or benefits is paid for or reimbursed by a small employer; or

(ii) the health benefit plan is treated by the employer or any of the eligible employees or dependents as part of a plan or program for the purposes of the Internal Revenue Code, section 106, 125, or 162.

(c) The small employer market does not include the merged market under section 62A.673.

EFFECTIVE DATE. This section is effective January 1, 2017."

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2345, A bill for an act relating to health occupations; establishing a tiered registry system for spoken language health care interpreters; appropriating money; amending Minnesota Statutes 2014, section 256B.0625, subdivision 18a; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2014, section 144.058.

Reported the same back with the following amendments:

Page 9, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 2015 Supplement, section 256B.0625, subdivision 18a, is amended to read:

Subd. 18a. **Access to medical services.** (a) Medical assistance reimbursement for meals for persons traveling to receive medical care may not exceed \$5.50 for breakfast, \$6.50 for lunch, or \$8 for dinner.

(b) Medical assistance reimbursement for lodging for persons traveling to receive medical care may not exceed \$50 per day unless prior authorized by the local agency.

(c) Regardless of the number of employees that an enrolled health care provider may have, medical assistance covers sign and ~~oral~~ spoken language health care interpreter services when provided by an enrolled health care provider during the course of providing a direct, person-to-person covered health care service to an enrolled recipient with limited English proficiency or who has a hearing loss and uses interpreting services. Coverage for ~~face-to-face oral language~~ spoken language health care interpreter services shall be provided only if the ~~oral spoken~~ language health care interpreter used by the enrolled health care provider is listed ~~in~~ on the registry ~~or roster~~ established ~~under section 144.058~~ by the commissioner of health under sections 148.9981 to 148.9987.

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

Correct the title numbers accordingly

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.

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

H. F. No. 2389, A bill for an act relating to cosmetology; regulating eyelash extension services; providing grandfathered licenses; modifying continuing education requirements; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2014, section 155A.23, by adding subdivisions; Minnesota Statutes 2015 Supplement, sections 155A.23, subdivisions 8, 18; 155A.27, subdivision 1; 155A.271; 155A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 155A.

Reported the same back with the following amendments:

Page 4, delete section 7

Page 5, delete sections 9 and 10 and insert:

"Sec. 8. **EFFECTIVE DATE; APPLICATION.**

Sections 1 to 7 are effective the day following final enactment. With respect to eyelash technicians, the Board of Cosmetologist Examiners must not enforce sections 1 to 7 until July 1, 2017. Any educational or training requirements developed by the board regarding eyelash technicians must be 14 hours."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "providing"

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

Page 1, line 4, delete everything before "amending"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2451, A bill for an act relating to contracts; regulating building and construction contracts; providing for certain progress payments and retainages; amending Minnesota Statutes 2014, section 337.10, subdivisions 4, 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 337.10, subdivision 3, is amended to read:

Subd. 3. **Prompt payment to subcontractors.** A building and construction contract shall be deemed to require the prime contractor and all subcontractors to promptly pay any subcontractor or material supplier contract within ten days of receipt by the party responsible for payment of payment for undisputed services provided by the party requesting payment, including payments under subdivision 4. The contract shall be deemed to require the party responsible for payment to pay interest of 1-1/2 percent per month to the party requesting payment on any undisputed amount not paid on time. The minimum monthly interest penalty payment for an unpaid balance of \$100 or more is \$10. For an unpaid balance of less than \$100, the party responsible for payment shall pay the actual penalty due to the party requesting payment. A party requesting payment who prevails in a civil action to collect interest penalties from a party responsible for payment must be awarded its costs and disbursements, including attorney fees incurred in bringing the action. If an undisputed payment is not received within ten days, the prime contractor or subcontractor of any tier that has not received the undisputed payment may suspend work under the building and construction contract until the undisputed payment is received.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to building and construction contracts executed on or after that date.

Sec. 2. Minnesota Statutes 2014, section 337.10, subdivision 4, is amended to read:

Subd. 4. **Progress payments and retainages.** (a) Unless the building and construction contract provides otherwise, the owner or other persons making payments under the contract must make progress payments monthly as the work progresses. Payments shall be based upon estimates of work completed as approved by the owner or the owner's agent. A progress payment shall not be considered acceptance or approval of any work or waiver of any defects therein.

(b) ~~Unless the building and construction contract provides otherwise, an owner or owner's agent may reserve as Retainage from any progress payment on a building and construction contract an amount may not to exceed five percent of the payment.~~ An owner or owner's agent may reduce the amount of retainage and may eliminate retainage on any monthly contract payment if, in the owner's opinion, the work is progressing satisfactorily. Nothing in this subdivision requires that retainage be withheld.

(c) This subdivision does not apply to contracts for professional services as defined in sections 326.02 to 326.15.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to building and construction contracts executed on or after that date."

Amend the title as follows:

Page 1, line 2, before "providing" insert "regulating payments to subcontractors;"

Correct the title numbers accordingly

With the recommendation that when so amended 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. 2467, A bill for an act relating to the Metropolitan Council; modifying membership and terms of the Metropolitan Council; amending Minnesota Statutes 2014, section 473.123.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 473.123, subdivision 2a, is amended to read:

Subd. 2a. **Terms.** (a) Following each apportionment of council districts, as provided under subdivision 3a, council members must be appointed from newly drawn districts as provided in subdivision 3a. ~~Each council member, other than the chair, must reside in the council district represented. Each council district must be represented by one member of the council.~~ The terms of members ~~end with the term of the governor~~ are staggered as follows: members representing districts one to four have terms ending the first Monday in January of the year ending in the numeral "4"; members representing districts five to eight have terms ending the first Monday in January of the year ending in the numeral "5"; members representing districts nine to 12 have terms ending the first Monday in January of the year ending in the numeral "6"; and members representing districts 13 to 16 have terms ending the first Monday in January of the year ending in the numeral "7." Thereafter, the term of each member is

four years, with terms ending the first Monday in January, except that all terms expire on the effective date of the next apportionment. A member serves at the pleasure of the governor. A member shall continue to serve the member's district until a successor is appointed and qualified; except that, following each apportionment, the member shall continue to serve at large until the governor appoints 16 council members, one from each of the newly drawn council districts as provided under subdivision 3a, to serve terms as provided under this section. The appointment to the council must be made by the first Monday in March of the year in which the term ends.

(b) A person cannot serve more than 12 years, whether or not consecutive, as a member of the Metropolitan Council.

EFFECTIVE DATE; APPLICATION. This section is effective for appointments made on or after January 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. Each member serving on the Metropolitan Council on the effective date of this section shall continue to serve until the member's successor is appointed and qualified. The first members appointed on or after January 1, 2019, from districts one to four shall serve terms ending the first Monday in January 2020; the first members appointed after January 1, 2019, from districts five to eight shall serve terms ending the first Monday in January 2021; the first members appointed after January 1, 2019, from districts nine to 12 shall serve terms ending the first Monday in January 2022; and the first members appointed after January 1, 2019, from districts 13 to 16 shall serve terms ending the first Monday in January 2023. Thereafter, subject to Minnesota Statutes, section 473.123, subdivision 3a, the term of each member is four years, with terms ending the first Monday in January.

Sec. 2. Minnesota Statutes 2014, section 473.123, subdivision 3, is amended to read:

Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council. Each Metropolitan Council member must be an elected city council member or mayor, or county commissioner. A Metropolitan Council member's office becomes vacant if the person appointed to that position ceases to be an elected city council member or mayor, or county commissioner.

(b) In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which a member is to be appointed must be notified in writing. The notices must describe the appointments process and invite participation and recommendations on the appointment. The notice must refer persons to find more information on the Web site of the council and other appropriate entities. The notice or the information on the Web sites must include a description of the work of the council, the skills and knowledge needed by council members, and the time commitment if appointed to the council, including attending meetings throughout the member's district during the day and at night.

(c) ~~The governor shall create a nominating committee, composed~~ A committee of seven 13 metropolitan citizens appointed by the governor, to shall nominate persons for appointment to the council from districts. ~~Three~~ Six of the committee members must be local elected officials appointed by the Association of Metropolitan Municipalities. Seven members must be county commissioners, one appointed from each metropolitan county by the respective county boards. Following the submission of applications as provided under section 15.0597, subdivision 5, the nominating committee shall conduct public meetings, after appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and other local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may consolidate meetings. Following the meetings, the committee shall submit to the governor a list of up to three nominees for each appointment. The list of nominees must be posted on the council's Web site, and may be made public by any other means that the nominating committee chooses, at least 14 days before the governor makes any appointments. The governor is not required to appoint from the list.

(d) Before making an appointment, the governor shall consult with all members of the legislature from the council district for which the member is to be appointed.

(e) Appointments to the council are subject to the advice and consent of the senate as provided in section 15.066.

(f) Members of the council must be appointed to reflect fairly the various demographic, political, and other interests in the metropolitan area and the districts.

(g) Members of the council must be persons knowledgeable about urban and metropolitan affairs.

(h) Any vacancy in the office of a council member shall immediately be filled for the unexpired term. In filling a vacancy, the governor may forgo the requirements of paragraph (c) if the governor has made appointments in full compliance with the requirements of this subdivision within the preceding 12 months.

EFFECTIVE DATE; APPLICATION. This section is effective for appointments made on or after January 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 3. **BLUE RIBBON COMMISSION ON THE METROPOLITAN COUNCIL.**

Subdivision 1. **Blue Ribbon Commission on the Metropolitan Council established.** The Blue Ribbon Commission on the Metropolitan Council is established to study the needs of the region and make recommendations to the legislature and the governor on the powers, duties, functions, and responsibilities that the Metropolitan Council should have, the appropriate relationship the Metropolitan Council should have with metropolitan area local governments, and the appropriate governance structure to support and enhance those powers, duties, functions, and relationships.

Subd. 2. **Authority; duties.** (a) Among any other topics that the commission determines are useful for informing the commission's understanding and recommendations for the Metropolitan Council's powers, duties, functions, and relationships, the commission shall study:

(1) the history and development of regional government in the metropolitan area;

(2) goals of local and regional government, whether they are appropriate goals, and obstacles to achieving those goals;

(3) how to ensure adequate and appropriate accountability of the council to the region and to the constituent local governments and residents of the region; and

(4) whether long-term regional planning is compatible with operation of major regional systems.

(b) The commission shall conduct meetings and hearings to gather information and analysis.

(c) The commission shall consult with all interested parties, including but not limited to:

(1) local elected officials and staff of metropolitan area cities, counties, and towns;

(2) the Metropolitan Council;

(3) state agencies that coordinate planning or services with or issue permits to the Metropolitan Council;

(4) academics with expertise and interest in regional government models and local-regional government relations;

(5) former chairs of the Metropolitan Council; and

(6) other former state or regional officials with experience with and interest in regional government and local-regional relations.

(d) The commission shall report the results of its study to the chairs and ranking minority members of the legislative committees with jurisdiction over the Metropolitan Council and to the governor by March 15, 2017. The report may be in the form of proposed legislation.

Subd. 3. Members. The commission shall consist of the following members:

(1) three state representatives appointed by the speaker of the house, at least one each from the majority and minority caucuses;

(2) three state senators appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, at least one each from the majority and minority caucuses;

(3) seven public members, one from each of the metropolitan counties, who may be but are not required to be local elected officials; three must be appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, three must be appointed by the speaker of the house, and one must be appointed by the governor. Appointments under this clause must be made as provided in Minnesota Statutes, section 15.0597. Appointing authorities are encouraged to consult with each other in making their respective appointments in order to ensure that appointees represent the diverse economic, social, and racial population of the metropolitan area, have diverse interests in and experience with local and regional government, and have diverse relevant expertise.

Appointments must be made as soon as practicable after the effective date of this section.

Subd. 4. Chairs. The legislative appointing authorities shall each designate a legislative appointee to serve as cochair of the commission.

Subd. 5. Meetings; staff. Meetings of the commission are subject to Minnesota Statutes, chapter 13D. The Legislative Coordinating Commission shall provide administrative support to the commission, including posting meeting notices on the legislative Web site. Legislative staff, the Metropolitan Council, and state agencies shall provide assistance when requested by the commission. The Legislative Coordinating Commission may accept gifts, as provided in Minnesota Statutes, section 3.303, to support the work of the Blue Ribbon Commission.

Subd. 6. Compensation; expenses. Legislative members of the commission may be compensated as provided by the respective bodies of the legislature. Public members of the commission shall not receive compensation, but must be reimbursed for expenses as provided in Minnesota Statutes, section 15.0575, subdivision 3.

Subd. 7. Appropriation. \$..... in fiscal year 2017 is appropriated from the general fund to the Legislative Coordinating Commission to pay the costs of the commission. This appropriation is available until June 30, 2018.

Subd. 8. Expiration. The commission expires June 30, 2017.

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

Delete the title and insert:

"A bill for an act relating to the Metropolitan Council; modifying membership and terms of the Metropolitan Council; creating the Blue Ribbon Commission on the Metropolitan Council; providing appointments; appropriating money; amending Minnesota Statutes 2014, section 473.123, subdivisions 2a, 3."

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

The report was adopted.

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

H. F. No. 2552, A bill for an act relating to orders for protection; eliminating mandatory hearing requirement for subsequent orders and extensions; amending Minnesota Statutes 2014, section 518B.01, subdivisions 6a, 11, 18.

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

The report was adopted.

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

H. F. No. 2553, A bill for an act relating to orders for protection; eliminating respondent filing fee requirements; amending Minnesota Statutes 2014, section 518B.01, subdivision 3a.

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

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 2603, A bill for an act relating to natural resources; requiring notice, public hearing, and response to questions and comments before purchasing real property with public money; proposing coding for new law in Minnesota Statutes, chapters 94; 103B.

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.

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

H. F. No. 2607, A bill for an act relating to human services; modifying certain nursing facilities requirements; amending Minnesota Statutes 2014, section 144A.071, subdivisions 4c, 4d; Minnesota Statutes 2015 Supplement, section 256B.441, subdivisions 13, 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. 2665, A bill for an act relating to MNsure; establishing a Minnesota Eligibility System Executive Steering Committee to govern the Minnesota eligibility system; modifying the composition of the MNsure board; amending Minnesota Statutes 2014, sections 62V.04, subdivisions 2, 3, 4; 62V.11, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 62V.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62V.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 2690, A bill for an act relating to impaired driving; requiring ignition interlock for repeat offenders to reinstate driving privileges; amending Minnesota Statutes 2014, section 169A.55, subdivision 4.

Reported the same back with the following amendments:

Page 1, lines 13 and 15, after "offense" insert "for a violation of section 169A.20, subdivision 1, clause (1), (5), or (6)."

Page 1, line 22, after "incidents" insert ", where the current offense is for a violation of section 169A.20, subdivision 1, clause (1), (5), or (6)."

Page 2, lines 3 and 7, strike "and controlled substances"

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 2014, section 171.30, subdivision 1, is amended to read:

Subdivision 1. **Conditions of issuance.** (a) The commissioner may issue a limited license to the driver under the conditions in paragraph (b) in any case where a person's license has been:

(1) suspended under section 171.18, 171.173, 171.186, or 171.187;

(2) revoked, canceled, or denied under section:

(i) 169.792;

(ii) 169.797;

(iii) 169A.52:

(A) subdivision 3, paragraph (a), clause (1) or (2);

(B) subdivision 3, paragraph (a), clause (3), for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7);

(C) subdivision 3, paragraph (a), clause (4), (5), or (6), for a violation of section 169A.20, subdivision 1, clause (1), (5), or (6), and if in compliance with section 171.306;

(D) subdivision 3, paragraph (a), clause (4), (5), or (6), for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7);

~~(E)~~ (E) subdivision 4, paragraph (a), clause (1) or (2), if the test results indicate an alcohol concentration of less than twice the legal limit;

(F) subdivision 4, paragraph (a), clause (3), for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7);

~~(G)~~ (G) subdivision 4, paragraph (a), clause (4), (5), or (6), for a violation of section 169A.20, subdivision 1, clause (1), (5), or (6), and if in compliance with section 171.306;

(H) subdivision 4, paragraph (a), clause (4), (5), or (6), for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7); or

(iv) 171.17; or

(v) 171.172; or

(3) revoked, canceled, or denied under section 169A.54:

(i) subdivision 1, clause (1), if the test results indicate an alcohol concentration of less than twice the legal limit;

(ii) subdivision 1, clause (2);

(iii) subdivision 1, clause (3) or (4), for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7);

(iv) subdivision 1, clause (5), (6), or (7), for a violation of section 169A.20, subdivision 1, clause (1), (5), or (6), and if in compliance with section 171.306; or

(v) subdivision 1, clause (5), (6), or (7), for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7); or

~~(vi)~~ (vi) subdivision 2, if the person does not have a qualified prior impaired driving incident as defined in section 169A.03, subdivision 22, on the person's record, and the test results indicate an alcohol concentration of less than twice the legal limit.

(b) The following conditions for a limited license under paragraph (a) include:

(1) if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of the driver's license;

(2) if the use of a driver's license by a homemaker is necessary to prevent the substantial disruption of the education, medical, or nutritional needs of the family of the homemaker; or

(3) if attendance at a postsecondary institution of education by an enrolled student of that institution depends upon the use of the driver's license.

(c) The commissioner in issuing a limited license may impose such conditions and limitations as in the commissioner's judgment are necessary to the interests of the public safety and welfare including reexamination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes

and times of operation, and to particular conditions of traffic. The commissioner may require that an applicant for a limited license affirmatively demonstrate that use of public transportation or carpooling as an alternative to a limited license would be a significant hardship.

(d) For purposes of this subdivision:

(1) "homemaker" refers to the person primarily performing the domestic tasks in a household of residents consisting of at least the person and the person's dependent child or other dependents; and

(2) "twice the legal limit" means an alcohol concentration of two times the limit specified in section 169A.20, subdivision 1, clause (5).

(e) The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in possession at all times when operating as a driver.

(f) In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

(g) If the person's driver's license or permit to drive has been revoked under section 169.792 or 169.797, the commissioner may only issue a limited license to the person after the person has presented an insurance identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner of public safety. The commissioner of public safety may require the insurance identification card provided to satisfy this subdivision be certified by the insurance company to be noncancelable for a period not to exceed 12 months.

(h) The limited license issued by the commissioner to a person under section 171.186, subdivision 4, must expire 90 days after the date it is issued. The commissioner must not issue a limited license to a person who previously has been issued a limited license under section 171.186, subdivision 4.

(i) The commissioner shall not issue a limited driver's license to any person described in section 171.04, subdivision 1, clause (6), (7), (8), (11), or (14).

(j) The commissioner shall not issue a class A, class B, or class C limited license.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to offenses committed on or after that date.

Sec. 3. Minnesota Statutes 2014, section 171.30, subdivision 2a, is amended to read:

Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license shall not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a first violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections; or

(2) 90 days, to a person who submitted to testing under sections 169A.50 to 169A.53, if the person's license or privilege has been revoked or suspended for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7), occurring within ten years of a qualified prior impaired driving incident, or after two qualified prior impaired driving incidents, for violations of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections; or

(3) 180 days, to a person who refused testing under sections 169A.50 to 169A.53, if the person's license or privilege has been revoked or suspended for a violation of section 169A.20, subdivision 1, clause (2), (3), (4), or (7), occurring within ten years of a qualified prior impaired driving incident, or after two qualified prior impaired driving incidents, for violations of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections; or

(4) one year, to a person whose license or privilege has been revoked or suspended for committing manslaughter resulting from the operation of a motor vehicle, committing criminal vehicular homicide or injury under section 609.21, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or violating a statute or ordinance from another state in conformity with either of those offenses.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to offenses committed on or after that date.

Sec. 4. Minnesota Statutes 2014, section 171.306, subdivision 1, is amended to read:

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

(b) "Ignition interlock device" or "device" means equipment that is designed to measure breath alcohol concentration and to prevent a motor vehicle's ignition from being started by a person whose breath alcohol concentration measures 0.02 or higher on the equipment.

(c) "Program participant" means a person who has qualified to take part in the ignition interlock program under this section, and whose driver's license has been:

(1) revoked, canceled, or denied under section 169A.52; or 169A.54, for a violation of section 169A.20, subdivision 1, clause (1), (5), or (6); or

(2) revoked, canceled, or denied under section 171.04, subdivision 1, clause (10); or

~~(3)~~ (3) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm.

(d) "Qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to offenses committed on or after that date."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "limiting ignition interlock program to alcohol-related offenses;"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2741, A bill for an act relating to public safety; creating a civil cause of action for the nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; amending the crime of coercion to include threat of nonconsensual dissemination of private sexual images; amending the crime of stalking to include nonconsensual sexual solicitation; expanding the definitions of qualified domestic violence-related offense and harassment; establishing criminal penalties for nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; clarifying the law of criminal defamation; amending Minnesota Statutes 2014, sections 609.02, subdivision 16; 609.27, subdivision 1; 609.275; 609.748, subdivision 1; 609.749, subdivision 2; 609.765; Minnesota Statutes 2015 Supplement, section 628.26; proposing coding for new law in Minnesota Statutes, chapters 604; 617.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **604.30 DEFINITIONS.**

(a) For the purposes of sections 604.30 and 604.31, the following terms have the meanings given.

(b) "Dissemination" means distribution to one or more persons, other than the person who is depicted in the image, or publication by any publicly available medium.

(c) "Image" means a photograph, film, video recording, or digital photograph or recording.

(d) "Intimate parts" means genitals, pubic area, or anus of an individual, or if the individual is female, a partially or fully exposed nipple.

(e) "Personal information" includes any identifier that permits communication or in-person contact with the person depicted in the image, including:

(1) the person's first and last name, first initial and last name, first name and last initial, or nickname;

(2) the person's home, school, or work address;

(3) the person's telephone number, e-mail address, or social media account information; or

(4) the person's geolocation data.

(f) "Sexual act" means either sexual contact or sexual penetration.

(g) "Sexual contact" means the intentional touching of intimate parts or intentional touching with seminal fluid or sperm onto another person's body.

(h) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network, that allows users to create, share, and view user-generated content.

(i) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

Sec. 2. [604.31] CAUSE OF ACTION FOR NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES; SEXUAL SOLICITATION.

Subdivision 1. **Nonconsensual dissemination of private sexual images.** (a) A cause of action against a person for the nonconsensual dissemination of private sexual images exists when:

(1) a person disseminated an image without the consent of the person depicted in the image;

(2) the image is of an individual depicted in a sexual act or whose intimate parts are exposed in whole or in part;

(3) the person is identifiable:

(i) from the image itself, by the person depicted in the image or by another person; or

(ii) from the personal information displayed in connection with the image; and

(4) the image was obtained or created under circumstances in which a reasonable person would know or understand that the image was to remain private.

(b) The fact that the individual depicted in the image consented to the creation of the image or to the voluntary private transmission of the image is not a defense to liability for a person who has disseminated the image without consent.

Subd. 2. **Nonconsensual sexual solicitation.** A person who uses the personal information of another to invite, encourage, or solicit sexual acts without the individual's consent and knows or has reason to know it will cause the person whose personal information is used to feel harassed, frightened, threatened, oppressed, persecuted, or intimidated, is liable for damages to the individual whose personal information was published or disseminated publicly.

Subd. 3. **Damages.** The court may award the following damages to a prevailing plaintiff from a person found liable under subdivision 1 or 2:

(1) general and special damages, including all finance losses due to the dissemination of the image and damages for mental anguish;

(2) an amount equal to any profit made from the dissemination of the image by the person who intentionally disclosed the image;

(3) a civil penalty awarded to the plaintiff of an amount up to \$10,000; and

(4) court costs, fees, and reasonable attorney fees.

Subd. 4. **Injunction; temporary relief.** (a) A court may issue a temporary or permanent injunction or restraining order to prevent further harm to the plaintiff.

(b) The court may issue a civil fine for the violation of a court order in an amount up to \$1,000 per day for failure to comply with an order granted under this section.

Subd. 5. **Confidentiality.** The court shall allow confidential filings to protect the privacy of the plaintiff in cases filed under this section.

Subd. 6. **Liability; exceptions.** (a) No person shall be found liable under this section when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical or mental health treatment, and the image is protected from further dissemination;

(4) the image involves exposure in public or was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display;

(5) the image relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

(b) This section does not alter or amend the liabilities and protections granted by United States Code, title 47, section 230, and shall be construed in a manner consistent with federal law.

(c) A cause of action arising under this section does not prevent the use of any other cause of action or remedy available under the law.

Subd. 7. **Jurisdiction.** A court has jurisdiction over a cause of action filed pursuant to this section if the plaintiff or respondent resides in this state.

Subd. 8. **Venue.** A cause of action arising under this section may be filed in either:

(1) the county of residence of the respondent or plaintiff or in the jurisdiction of the plaintiff's designated address if the plaintiff participates in the address confidentiality program established by chapter 5B; or

(2) the county where any image is produced, reproduced, or stored in violation of this section.

Subd. 9. **Discovery of dissemination.** In a civil action brought under subdivision 1, the statute of limitations is tolled until the plaintiff discovers the image has been disseminated.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to causes of action commenced on or after that date.

Sec. 3. Minnesota Statutes 2014, section 609.02, subdivision 16, is amended to read:

Subd. 16. **Qualified domestic violence-related offense.** "Qualified domestic violence-related offense" includes a violation of or an attempt to violate sections 518B.01, subdivision 14 (violation of domestic abuse order for protection); 609.185 (first-degree murder); 609.19 (second-degree murder); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree

assault); 609.2242 (domestic assault); 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.342 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.377 (malicious punishment of a child); 609.713 (terroristic threats); 609.748, subdivision 6 (violation of harassment restraining order); 609.749 (stalking); 609.78, subdivision 2 (interference with an emergency call); 617.261 (nonconsensual dissemination of private sexual images); and 629.75 (violation of domestic abuse no contact order); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 4. Minnesota Statutes 2014, section 609.27, subdivision 1, is amended to read:

Subdivision 1. **Acts constituting.** Whoever orally or in writing makes any of the following threats and thereby causes another against the other's will to do any act or forbear doing a lawful act is guilty of coercion and may be sentenced as provided in subdivision 2:

(1) a threat to unlawfully inflict bodily harm upon, or hold in confinement, the person threatened or another, when robbery or attempt to rob is not committed thereby; or

(2) a threat to unlawfully inflict damage to the property of the person threatened or another; or

(3) a threat to unlawfully injure a trade, business, profession, or calling; or

(4) a threat to expose a secret or deformity, publish a defamatory statement, or otherwise to expose any person to disgrace or ridicule; or

(5) a threat to make or cause to be made a criminal charge, whether true or false; provided, that a warning of the consequences of a future violation of law given in good faith by a peace officer or prosecuting attorney to any person shall not be deemed a threat for the purposes of this section; or

(6) a threat to commit a violation under section 617.261.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2014, section 609.275, is amended to read:

609.275 ATTEMPT TO COERCE.

Whoever makes a threat within the meaning of section 609.27, subdivision 1, clauses (1) to ~~(5)~~ (6), but fails to cause the intended act or forbearance, commits an attempt to coerce and may be punished as provided in section 609.17.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2014, section 609.748, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For the purposes of this section, the following terms have the meanings given them in this subdivision.

(a) "Harassment" includes:

(1) a single incident of physical or sexual assault, a single incident of stalking under section 609.749, subdivision 2, clause (8), a single incident of nonconsensual dissemination of private sexual images under section 617.261, or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target;

(2) targeted residential picketing; and

(3) a pattern of attending public events after being notified that the actor's presence at the event is harassing to another.

(b) "Respondent" includes any adults or juveniles alleged to have engaged in harassment or organizations alleged to have sponsored or promoted harassment.

(c) "Targeted residential picketing" includes the following acts when committed on more than one occasion:

(1) marching, standing, or patrolling by one or more persons directed solely at a particular residential building in a manner that adversely affects the safety, security, or privacy of an occupant of the building; or

(2) marching, standing, or patrolling by one or more persons which prevents an occupant of a residential building from gaining access to or exiting from the property on which the residential building is located.

EFFECTIVE DATE. This section is effective August 1, 2016.

Sec. 7. Minnesota Statutes 2014, section 609.749, subdivision 2, is amended to read:

Subd. 2. **Stalking crimes.** A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:

(1) directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;

(2) follows, monitors, or pursues another, whether in person or through any available technological or other means;

(3) returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;

(4) repeatedly makes telephone calls, sends text messages, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;

(5) makes or causes the telephone of another repeatedly or continuously to ring;

(6) repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects; ~~or~~

(7) knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties; or

(8) uses another's personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the person.

For purposes of this clause, "personal information" and "sexual act" have the meanings given in section 617.261, subdivision 7.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2014, section 609.765, is amended to read:

609.765 CRIMINAL DEFAMATION.

Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in society, or injury to business or occupation.

Subd. 2. **Acts constituting.** Whoever with knowledge of its false and defamatory character orally, in writing or by any other means, communicates any false and defamatory matter to a third person without the consent of the person defamed is guilty of criminal defamation and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Subd. 3. **Justification.** Violation of subdivision 2 is justified if:

- (1) ~~the defamatory matter is true and is communicated with good motives and for justifiable ends; or~~
- (2) the communication is absolutely privileged; or
- (3) (2) the communication consists of fair comment made in good faith with respect to persons participating in matters of public concern; or
- (4) (3) the communication consists of a fair and true report or a fair summary of any judicial, legislative or other public or official proceedings; or
- (5) (4) the communication is between persons each having an interest or duty with respect to the subject matter of the communication and is made with intent to further such interest or duty.

Subd. 4. **Testimony required.** No person shall be convicted on the basis of an oral communication of defamatory matter except upon the testimony of at least two other persons that they heard and understood the oral statement as defamatory or upon a plea of guilty.

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

Sec. 9. **[617.261] NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES.**

Subdivision 1. **Crime.** It is a crime to intentionally disseminate an image of another person who is depicted in a sexual act or whose intimate parts are exposed, in whole or in part, when:

- (1) the person is identifiable:
 - (i) from the image itself, by the person depicted in the image or by another person; or
 - (ii) from personal information displayed in connection with the image;

(2) the actor knows or reasonably should know that the person depicted in the image does not consent to the dissemination; and

(3) the image was obtained or created under circumstances in which a reasonable person would know or understand that the image was to remain private.

Subd. 2. Penalties. (a) Except as provided in paragraph (b) or (c), whoever violates subdivision 1 is guilty of a gross misdemeanor.

(b) Whoever violates subdivision 1 may be sentenced to imprisonment for not more than three years or to payment of a fine of \$5,000, or both, if one of the following factors is present:

(1) the person depicted in the image suffers financial loss due to the dissemination of the image;

(2) the actor disseminates the image with intent to profit from the dissemination;

(3) the actor maintains an Internet Web site, online service, online application, or mobile application for the purpose of disseminating the image;

(4) the actor posts the image on a Web site;

(5) the actor disseminates the image with intent to harass the person depicted in the image;

(6) the actor obtained the image by committing a violation of section 609.52, 609.746, 609.89, or 609.891; or

(7) the actor has previously been convicted under this chapter.

(c) Whoever violates subdivision 1 may be sentenced to imprisonment for not more than seven years or to payment of a fine of \$15,000, or both, if two or more factors in paragraph (b) are present.

Subd. 3. No defense. It is not a defense to a prosecution under this section that the person consented to the capture or possession of the image.

Subd. 4. Venue. Notwithstanding anything to the contrary in section 627.01, an offense committed under this section may be prosecuted in:

(1) the county where the offense occurred;

(2) the county of residence of the actor or victim or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B; or

(3) only if venue cannot be located in the counties specified under clause (1) or (2), the county where any image is produced, reproduced, found, stored, received, or possessed in violation of this section.

Subd. 5. Exemptions. Subdivision 1 does not apply when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical or mental health treatment and the image is protected from further dissemination;

(4) the image involves exposure in public or was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display;

(5) the image relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

Subd. 6. **Immunity.** Nothing in this section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

(1) an interactive computer service as defined in United States Code, title 47, section 230, paragraph (f), clause (2);

(2) a provider of public mobile services or private radio services; or

(3) a telecommunications network or broadband provider.

Subd. 7. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Dissemination" means distribution to one or more persons, other than the person depicted in the image, or publication by any publicly available medium.

(c) "Harass" means an act that would cause a substantial adverse effect on the safety, security, or privacy of a reasonable person.

(d) "Image" means a photograph, film, video recording, or digital photograph or recording.

(e) "Intimate parts" means the genitals, pubic area, or anus of an individual, or if the individual is female, a partially or fully exposed nipple.

(f) "Personal information" means any identifier that permits communication or in-person contact with a person, including:

(1) a person's first and last name, first initial and last name, first name and last initial, or nickname;

(2) a person's home, school, or work address;

(3) a person's telephone number, e-mail address, or social media account information; or

(4) a person's geolocation data.

(g) "Sexual act" means either sexual contact or sexual penetration.

(h) "Sexual contact" means the intentional touching of intimate parts or intentional touching with seminal fluid or sperm onto another person's body.

(i) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network, that allows users to create, share, and view user-generated content.

(j) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

Subd. 8. **Other crimes.** Nothing in this section shall limit the power of the state to prosecute or punish a person for conduct that constitutes any other crime under any other law of this state.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2015 Supplement, section 628.26, is amended to read:

628.26 LIMITATIONS.

(a) Indictments or complaints for any crime resulting in the death of the victim may be found or made at any time after the death of the person killed.

(b) Indictments or complaints for a violation of section 609.25 may be found or made at any time after the commission of the offense.

(c) Indictments or complaints for violation of section 609.282 may be found or made at any time after the commission of the offense if the victim was under the age of 18 at the time of the offense.

(d) Indictments or complaints for violation of section 609.282 where the victim was 18 years of age or older at the time of the offense, or 609.42, subdivision 1, clause (1) or (2), shall be found or made and filed in the proper court within six years after the commission of the offense.

(e) Indictments or complaints for violation of sections 609.322 and 609.342 to 609.345, if the victim was under the age of 18 years at the time the offense was committed, shall be found or made and filed in the proper court within the later of nine years after the commission of the offense or three years after the offense was reported to law enforcement authorities.

(f) Notwithstanding the limitations in paragraph (e), indictments or complaints for violation of sections 609.322 and 609.342 to 609.344 may be found or made and filed in the proper court at any time after commission of the offense, if physical evidence is collected and preserved that is capable of being tested for its DNA characteristics. If this evidence is not collected and preserved and the victim was 18 years old or older at the time of the offense, the prosecution must be commenced within nine years after the commission of the offense.

(g) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision 2, clause (3), item (iii), shall be found or made and filed in the proper court within six years after the commission of the offense.

(h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision 2, clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of the property or services stolen is more than \$35,000, shall be found or made and filed in the proper court within five years after the commission of the offense.

(i) Except for violations relating to false material statements, representations or omissions, indictments or complaints for violations of section 609.671 shall be found or made and filed in the proper court within five years after the commission of the offense.

(j) Indictments or complaints for violation of sections 609.561 to 609.563, shall be found or made and filed in the proper court within five years after the commission of the offense.

(k) Indictments or complaints for a violation of section 617.261 shall be found or made and filed in the proper court within three years after the offense is reported to law enforcement authorities.

(l) In all other cases, indictments or complaints shall be found or made and filed in the proper court within three years after the commission of the offense.

(~~m~~) (m) The limitations periods contained in this section shall exclude any period of time during which the defendant was not an inhabitant of or usually resident within this state.

(~~n~~) (n) The limitations periods contained in this section for an offense shall not include any period during which the alleged offender participated under a written agreement in a pretrial diversion program relating to that offense.

(~~o~~) (o) The limitations periods contained in this section shall not include any period of time during which physical evidence relating to the offense was undergoing DNA analysis, as defined in section 299C.155, unless the defendant demonstrates that the prosecuting or law enforcement agency purposefully delayed the DNA analysis process in order to gain an unfair advantage.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date."

With the recommendation that when so amended 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. 2771, A bill for an act relating to agriculture; extending the Minnesota Organic Advisory Task Force; requiring the commissioner of agriculture to consult the Minnesota Organic Advisory Task Force and provide recommendations to the legislature; requiring a report; amending Minnesota Statutes 2014, section 31.94.

Reported the same back with the following amendments:

Page 2, line 4, after "products," insert "the differences in yield between organic and conventional crop production and the corresponding number of acres required to produce an equivalent amount of food."

Page 2, line 17, strike "one representative from a nonprofit organization representing producers" and insert "one member appointed by the Minnesota Farm Bureau and one member appointed by the Minnesota Farmers Union"

Page 2, line 20, strike everything after "(10)" and insert "one retailer of organic products appointed by the Minnesota Grocers Association;"

Page 2, line 21, strike the period and insert "; and"

Page 2, after line 21, insert:

"(12) one member appointed by the Minnesota Agri-Growth Council."

Page 2, strike line 25 and insert "members under clauses (1) to (6), (8), (9), and (11). Members serve three-year terms at the pleasure of their appointing authority."

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

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2772, A bill for an act relating to human services; requiring the commissioner to reform the continuum of treatment for individuals with substance use disorders; proposing coding for new law in Minnesota Statutes, chapter 254B.

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

The report was adopted.

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

H. F. No. 2803, A bill for an act relating to civil commitment; specifying notice requirements for early termination of an emergency admission; amending Minnesota Statutes 2014, section 253B.05, subdivisions 2, 3.

Reported the same back with the following amendments:

Page 3, line 14, after "(d)" insert "Notwithstanding section 144.293, subdivisions 2 and 4,"

Page 3, line 15, after "facility" insert "during the 72-hour hold period" and delete "head of the treatment"

Page 3, line 16, delete "facility" and insert "treating health care provider"

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.

Loon from the Committee on Education Finance to which was referred:

H. F. No. 2805, A bill for an act relating to education; establishing a Grow Your Own teacher residency pilot program; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Higher Education Policy and Finance without further recommendation.

The report was adopted.

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

H. F. No. 2814, A bill for an act relating to education; establishing a legislative study group to review the legislative auditor's 2016 report on kindergarten through grade 12 teacher licensure and consider how to implement the recommendations.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **LEGISLATIVE STUDY GROUP ON EDUCATOR LICENSURE.**

(a) A 12-member legislative study group on educator licensure is created to review the 2016 "Minnesota Teacher Licensure" report prepared by the Office of the Legislative Auditor on teacher licensing and submit a written report by February 1, 2017, to the legislature recommending how to restructure Minnesota's teacher licensure system by consolidating all teacher licensure activities into a single state entity to ensure transparency and consistency or, at a minimum, by clarifying existing teacher licensure responsibilities to provide transparency and consistency. In developing its recommendations, the study group is encouraged to consider the tiered licensure system recommended in the legislative auditor's report, among other recommendations. The study group is encouraged to begin its work by consulting with teachers currently teaching in Minnesota school districts, charter schools, and nonpublic schools and with out-of-state teachers currently licensed or seeking a license in Minnesota. The study group is encouraged to identify and include in its report any statutory changes needed to implement the study group recommendations.

(b) The legislative study group on educator licensure includes:

(1) six duly elected and currently serving members of the house of representatives, three appointed by the speaker of the house and three appointed by the house of representatives minority leader, one of whom must be the current chair of the house of representatives Education Innovation Policy Committee; and

(2) six duly elected and currently serving senators, three appointed by the senate majority leader and three appointed by the senate minority leader, one of whom must be the current chair of the senate Education Committee.

Only duly elected and currently serving members of the house of representatives or the senate may be study group members.

(c) The appointments must be made by June 1, 2016, and expire February 2, 2017. If a vacancy occurs, the leader of the caucus in the house of representatives or senate to which the vacating study group member belonged must fill the vacancy. The chair of the house of representatives Education Innovation Policy Committee shall convene the first meeting of the study group. The study group shall elect a chair or cochairs from among the members at the first meeting. The study group must meet periodically. The Legislative Coordinating Commission shall provide technical and administrative assistance upon request.

(d) In reviewing the legislative auditor's report and developing its recommendations, the study group must consult with the Board of Teaching, the licensing division of the Department of Education, the Minnesota Board of School Administrators, and interested and affected stakeholders.

(e) The study group expires February 2, 2017, unless extended by law.

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

Sec. 2. **BOARD OF TEACHING REPORT.**

The Board of Teaching must prepare and submit a written report to the education committees of the legislature by February 1, 2017, listing all statutory and rule requirements on teacher preparation, examinations, and training applicable to candidates for teacher licensure, by type of license and all statutory and rule requirements on continuing education applicable to teachers seeking to renew a full professional teaching license.

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

Amend the title as follows:

Page 1, line 4, before the period, insert "; requiring a report from the Board of Teaching"

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

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 2844, A bill for an act relating to game and fish; modifying provisions for taking and feeding wild animals; amending Minnesota Statutes 2014, sections 97A.451, subdivision 6; 97B.035, subdivision 1; 97B.811, subdivision 4a; Minnesota Statutes 2015 Supplement, sections 97B.041; 97B.9251; proposing coding for new law in Minnesota Statutes, chapter 97B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 3.7371, is amended by adding a subdivision to read:

Subd. 8. **Report.** The commissioner must submit a report to the chairs of the house of representatives and senate committees and divisions with jurisdiction over agriculture and environment and natural resources by December 15 each year that details the total amount of damages paid, by elk herd, in the previous two fiscal years.

Sec. 2. Minnesota Statutes 2014, section 16C.135, is amended by adding a subdivision to read:

Subd. 4. **Certain vehicles and equipment.** The commissioner of natural resources is not required to purchase or use ethanol-blended fuel for off-road vehicles, boats, snowmobiles, or small engines.

Sec. 3. Minnesota Statutes 2014, section 84.798, subdivision 2, is amended to read:

Subd. 2. **Exemptions.** Registration is not required for an off-road vehicle that is:

(1) owned and used by the United States, an Indian tribal government, the state, another state, or a political subdivision; ~~or~~

(2) registered in another state or country and has not been in this state for more than 30 consecutive days; or

(3) operated with a valid state trail pass according to section 84.8035.

EFFECTIVE DATE. This section is effective January 1, 2017, or when the electronic licensing system has been upgraded, whichever is sooner.

Sec. 4. Minnesota Statutes 2014, section 84.8035, is amended to read:

84.8035 NONRESIDENT OFF-ROAD VEHICLE STATE TRAIL PASS.

Subdivision 1. **Pass required; fee.** (a) Except as provided under paragraph (c), a nonresident person may not operate an off-road vehicle on a state or grant-in-aid off-road vehicle trail or use area unless the vehicle displays a ~~nonresident~~ an off-road vehicle state trail pass sticker issued according to this section. The pass must be viewable by a peace officer, a conservation officer, or an employee designated under section 84.0835.

(b) ~~The fee for an annual pass is \$20. The pass is valid from January 1 through December 31. The fee for a three-year pass is \$30.~~ The commissioner of natural resources shall issue a pass upon application and payment of the fee. Fees collected under this section, except for the issuing fee for licensing agents, shall be deposited in the state treasury and credited to the off-road vehicle account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid to counties and municipalities for off-road vehicle organizations to construct and maintain off-road vehicle trails and use areas.

(c) ~~A nonresident~~ An off-road vehicle state trail pass is not required for:

(1) an off-road vehicle that is owned and used by the United States, another state, or a political subdivision thereof that is exempt from registration under section 84.798, subdivision 2;

(2) a person operating an off-road vehicle only on the portion of a trail that is owned by the person or the person's spouse, child, or parent; or

(3) a ~~nonresident person~~ operating an off-road vehicle that is registered according to section 84.798.

(d) The fee for an annual nonresident off-road vehicle state trail pass is \$20. The nonresident pass is valid from January 1 through December 31. The fee for a nonresident three-year pass is \$30.

(e) The fee for a resident off-road vehicle state trail pass is \$20. The resident pass is valid for 30 consecutive days after the date of issuance.

Subd. 2. **License agents.** The commissioner may appoint agents to issue and sell ~~nonresident~~ off-road vehicle state trail passes. The commissioner may revoke the appointment of an agent at any time. The commissioner may adopt additional rules as provided in section 97A.485, subdivision 11. An agent shall observe all rules adopted by the commissioner for accounting and handling of passes pursuant to section 97A.485, subdivision 11. An agent shall promptly deposit and remit all money received from the sale of the passes, exclusive of the issuing fee, to the commissioner.

Subd. 3. **Issuance of passes.** The commissioner and agents shall issue and sell ~~nonresident~~ off-road vehicle state trail passes. The commissioner shall also make the passes available through the electronic licensing system established under section 84.027, subdivision 15.

Subd. 4. **Agent's fee.** In addition to the fee for a pass, an issuing fee of \$1 per pass shall be charged. The issuing fee may be retained by the seller of the pass. Issuing fees for passes issued by the commissioner shall be deposited in the off-road vehicle account in the natural resources fund and retained for the operation of the electronic licensing system.

Subd. 5. **Duplicate passes.** The commissioner and agents shall issue a duplicate pass to persons whose pass is lost or destroyed using the process established under section 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate ~~nonresident~~ off-road vehicle state trail pass is \$4, with an issuing fee of 50 cents.

EFFECTIVE DATE. This section is effective January 1, 2017, or when the electronic licensing system has been upgraded, whichever is sooner.

Sec. 5. Minnesota Statutes 2014, section 85.015, subdivision 13, is amended to read:

Subd. 13. **Arrowhead Region Trails, Cook, Lake, St. Louis, Pine, Carlton, Koochiching, and Itasca Counties.** (a)(1) The Taconite Trail shall originate at Ely in St. Louis County and extend southwesterly to Tower in St. Louis County, thence westerly to McCarthy Beach State Park in St. Louis County, thence southwesterly to Grand Rapids in Itasca County and there terminate;

(2) the C. J. Ramstad/Northshore Trail shall originate in Duluth in St. Louis County and extend northeasterly to Two Harbors in Lake County, thence northeasterly to Grand Marais in Cook County, thence northeasterly to the international boundary in the vicinity of the north shore of Lake Superior, and there terminate;

(3) ~~The Grand Marais to International Falls Trail shall originate in Grand Marais in Cook County and extend northwesterly, outside of the Boundary Waters Canoe Area, to Ely in St. Louis County, thence southwesterly along the route of the Taconite Trail to Tower in St. Louis County, thence northwesterly through the Pelican Lake area in St. Louis County to International Falls in Koochiching County, and there terminate~~ the David Dill/Arrowhead Trail shall originate at International Falls in Koochiching County and extend southeasterly through the Pelican Lake area in St. Louis County, intersecting with the Taconite Trail west of Tower; then the David Dill/Taconite Trail continues easterly to Ely in St. Louis County; then the David Dill/Tomahawk Trail extends southeasterly, outside the Boundary Waters Canoe Area, to the area of Little Marais in Lake County and there terminates at the intersection with the C. J. Ramstad/Northshore Trail; and

(4) the Matthew Lourey Trail shall originate in Duluth in St. Louis County and extend southerly to Chengwatana State Forest in Pine County.

(b) The trails shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Arrowhead Region trails may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the Legislative Advisory Commission before granting approval. Recommendations of the Legislative Advisory Commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

Sec. 6. Minnesota Statutes 2014, section 97A.045, subdivision 7, is amended to read:

Subd. 7. **Duty to encourage stamp design and purchases.** (a) The commissioner shall encourage the purchase of:

(1) Minnesota migratory waterfowl stamps by nonhunters interested in migratory waterfowl preservation and habitat development;

(2) pheasant stamps by persons interested in pheasant habitat improvement;

(3) trout and salmon stamps by persons interested in trout and salmon stream and lake improvement; and

~~(4) turkey stamps by persons interested in stamp collecting; and~~

~~(5)~~ (4) walleye stamps by persons interested in walleye stocking and stamp collecting.

(b) The commissioner shall make rules governing contests for selecting a design for each stamp, including those stamps not required to be in possession while taking game or fish. The commissioner shall ensure that stamp design and characteristics are consistent with the design and characteristics that are sought by pictorial stamp collectors.

Sec. 7. Minnesota Statutes 2014, section 97A.055, subdivision 4, is amended to read:

Subd. 4. **Game and fish annual reports.** (a) By December 15 each year, the commissioner shall submit to the legislative committees having jurisdiction over appropriations and the environment and natural resources reports on each of the following:

(1) the amount of revenue from the following and purposes for which expenditures were made:

(i) the small game license surcharge under section 97A.475, subdivision 4;

(ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision 5, clause (1);

(iii) the trout and salmon stamp under section 97A.475, subdivision 10;

(iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

~~(v) the wild turkey management account under section 97A.075, subdivision 5;~~

~~(vi)~~ (v) the deer license donations and surcharges under section 97A.475, subdivisions 3, paragraph (b), and 3a; and

~~(vii)~~ (vi) the walleye stamp under section 97A.475, subdivision 10a;

(2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c), and the purposes for which these amounts were spent;

(3) money credited to the game and fish fund under this section and purposes for which expenditures were made from the fund;

(4) outcome goals for the expenditures from the game and fish fund; and

(5) summary and comments of citizen oversight committee reviews under subdivision 4b.

(b) The report must include the commissioner's recommendations, if any, for changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

Sec. 8. Minnesota Statutes 2014, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), (13), (14), and (15); 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

(b) \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and is appropriated to the commissioner for deer habitat improvement or deer management programs.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and is appropriated to the commissioner for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended.

When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

~~(e) Fifty cents from each annual deer license and 50 cents annually from the lifetime fish and wildlife trust fund established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the wolf management and monitoring account under subdivision 7.~~

Sec. 9. Minnesota Statutes 2014, section 97A.201, is amended by adding a subdivision to read:

Subd. 3. **Prosecuting authority.** (a) County attorneys must prosecute violations an enforcement officer is authorized to enforce under section 97A.205, clause (5).

(b) Prosecution under paragraph (a) includes associated civil actions provided by law.

Sec. 10. Minnesota Statutes 2014, section 97A.301, subdivision 1, is amended to read:

Subdivision 1. **Misdemeanor.** Unless a different penalty is prescribed, a person is guilty of a misdemeanor if that person:

- (1) ~~takes, buys, sells, transports or possesses a wild animal in violation of~~ violates the game and fish laws;
- (2) aids or assists in committing the violation;
- (3) knowingly shares in the proceeds of the violation;
- (4) fails to perform a duty or comply with a requirement of the game and fish laws;
- (5) knowingly makes a false statement related to an affidavit regarding a violation or requirement of the game and fish laws; or
- (6) violates or attempts to violate a rule under the game and fish laws.

Sec. 11. Minnesota Statutes 2014, section 97A.338, is amended to read:

97A.338 GROSS OVERLIMITS OF WILD ANIMALS; PENALTY.

(a) A person who takes, possesses, or transports wild animals over the legal limit, in closed season, or without a valid license, when the restitution value of the wild animals is over \$1,000 is guilty of a gross overlimit violation. A violation under this ~~section~~ paragraph is a gross misdemeanor.

(b) A person who takes, possesses, or transports two or more trophy animals as defined in Minnesota Rules, part 6133.0020, subpart 11, over the legal limit, in closed season, or without a valid license, is guilty of a gross overlimit violation. A violation under this paragraph is a gross misdemeanor.

Sec. 12. Minnesota Statutes 2014, section 97A.405, subdivision 2, is amended to read:

Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from an area where a licensed activity was performed must have in personal possession either: (1) the proper license, if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation, if the license has been sold to the person by electronic means but the actual license has not been issued and received.

(b) If possession of a license or a license identification number is required, a person must exhibit, as requested by a conservation officer or peace officer, either: (1) the proper license if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation and a valid state driver's license, state identification card, or other form of identification provided by the commissioner, if the license has been sold to the person by electronic means but the actual license has not been issued and received. A person charged with violating the license possession requirement shall not be convicted if the person produces in court or the office of the arresting officer, the actual license previously issued to that person, which was valid at the time of arrest, or satisfactory proof that at the time of the arrest the person was validly licensed. Upon request of a conservation officer or peace officer, a licensee shall write the licensee's name in the presence of the officer to determine the identity of the licensee.

(c) If the actual license has been issued and received, a receipt for license fees, a copy of a license, or evidence showing the issuance of a license, including the license identification number or stamp validation, does not entitle a licensee to exercise the rights or privileges conferred by a license.

(d) A license issued electronically and not immediately provided to the licensee shall be mailed to the licensee within 30 days of purchase of the license. A pictorial migratory waterfowl, pheasant, trout and salmon, or walleye stamp shall be provided to the licensee after purchase of a stamp validation only if the licensee pays an additional fee that covers the costs of producing and mailing a pictorial stamp. ~~A pictorial turkey stamp may be purchased for a fee that covers the costs of producing and mailing the pictorial stamp.~~ Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees for providing the pictorial stamps. The fees must be set in an amount that does not recover significantly more or less than the cost of producing and mailing the stamps. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

Sec. 13. Minnesota Statutes 2014, section 97A.421, subdivision 2a, is amended to read:

Subd. 2a. **License revocation after conviction.** (a) A person may not obtain a license to take a wild animal and is prohibited from taking wild animals for ten years after the date of conviction of a violation of section 97A.338, paragraph (b).

(b) A person may not obtain a license to take a wild animal and is prohibited from taking wild animals for a period of five years after the date of conviction of:

(1) a violation when the restitution value of the wild animals is \$5,000 or more; or

(2) a violation when the restitution value of the wild animals exceeds \$500 and the violation occurs within ten years of one or more previous license revocations under this subdivision.

~~(b)~~ (c) A person may not obtain a license to take the type of wild animals involved in a violation when the restitution value of the wild animals exceeds \$500 and is prohibited from taking the type of wild animals involved in the violation for a period of three years after the date of conviction of a violation.

~~(e)~~ (d) The time period of multiple revocations under paragraph ~~(a)~~ (b), clause (2), ~~shall be~~ is consecutive and no wild animals of any kind may be taken during the entire period.

~~(d)~~ (e) The court may not stay or reduce the imposition of license revocation provisions under this subdivision.

Sec. 14. Minnesota Statutes 2014, section 97A.451, subdivision 6, is amended to read:

Subd. 6. **Nonresidents under age 16 attending camps; fishing.** A nonresident under the age of 16 that is attending a camp conducted by a nonprofit organization may take fish by angling in adjacent and connected public waters without a license. ~~The organization must have a certificate from the commissioner that describes the public waters where the fishing is allowed.~~ The nonresident must possess a document, prescribed by the commissioner, for identification of the nonresident and the authorized fishing waters. ~~The written document must be that authorizes angling and that is~~ signed and dated within the current calendar year by the person in charge of the camp.

Sec. 15. Minnesota Statutes 2014, section 97A.473, subdivision 3, is amended to read:

Subd. 3. **Lifetime small game hunting license; fee.** (a) A resident lifetime small game hunting license authorizes a person to hunt and trap small game, other than wolves, in the state. The license authorizes those hunting and trapping activities authorized by the annual resident small game hunting license and the trapping license for fur-bearing animals other than wolves. The license does not include ~~a turkey stamp validation or any other~~ hunting stamps required by law.

(b) The fees for a resident lifetime small game hunting license are:

(1) age 3 and under, \$223;

(2) age 4 to age 15, \$301;

(3) age 16 to age 50, \$430; and

(4) age 51 and over, \$274.

Sec. 16. Minnesota Statutes 2014, section 97A.473, subdivision 5, is amended to read:

Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt and trap small game, other than wolves, in the state. The license authorizes those activities authorized by the annual resident angling and resident small game hunting licenses and the resident trapping license for fur-bearing animals other than wolves. The license does not include a trout and salmon stamp validation, ~~a turkey stamp validation,~~ a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting license are:

- (1) age 3 and under, \$485;
- (2) age 4 to age 15, \$659;
- (3) age 16 to age 50, \$861; and
- (4) age 51 and over, \$560.

Sec. 17. Minnesota Statutes 2014, section 97A.473, subdivision 5a, is amended to read:

Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident lifetime sporting with spearing option license authorizes a person to take fish by angling or spearing and hunt and trap small game, other than wolves, in the state. The license authorizes those activities authorized by the annual resident angling, spearing, and resident small game hunting licenses and the resident trapping license for fur-bearing animals other than wolves. The license does not include a trout and salmon stamp validation, ~~a turkey stamp validation~~, a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting with spearing option license are:

- (1) age 3 and under, \$562;
- (2) age 4 to age 15, \$765;
- (3) age 16 to age 50, \$961; and
- (4) age 51 and over, \$612.

Sec. 18. Minnesota Statutes 2014, section 97A.474, subdivision 3, is amended to read:

Subd. 3. **Nonresident lifetime small game hunting license; fee.** (a) A nonresident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual nonresident small game hunting license. The license does not include ~~a turkey stamp validation or any other~~ hunting stamps required by law.

(b) The fees for a nonresident lifetime small game hunting license are:

- (1) age 3 and under, \$947;
- (2) age 4 to age 15, \$1,280;
- (3) age 16 to age 50, \$1,633; and
- (4) age 51 and over, \$1,083.

Sec. 19. Minnesota Statutes 2014, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents only, are:

- (1) for persons age 18 or over and under age 65 to take small game, \$15.50;
- (2) for persons age 65 or over, \$7 to take small game;

- (3) for persons age 18 or over to take turkey, ~~\$26~~ \$21;
- (4) for persons age 13 or over and under age 18 to take turkey, \$5;
- (5) for persons age 18 or over to take deer with firearms during the regular firearms season, \$30;
- (6) for persons age 18 or over to take deer by archery, \$30;
- (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$30;
- (8) to take moose, for a party of not more than six persons, \$356;
- (9) for persons age 18 or over to take bear, \$44;
- (10) to take elk, for a party of not more than two persons, \$287;
- (11) to take Canada geese during a special season, \$4;
- (12) to take prairie chickens, \$23;
- (13) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season, \$5;
- (14) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- (15) for persons age 13 or over and under age 18 to take deer by muzzleloader during the muzzleloader season, \$5;
- (16) for persons age 10, 11, or 12 to take bear, no fee;
- (17) for persons age 13 or over and under age 18 to take bear, \$5;
- (18) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, \$19, of which an amount equal to: one-half of the fee for the migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under subdivision 4, shall be deposited in the wildlife acquisition account;
- (19) for persons age 16 or over and under age 18 to take small game, \$5;
- (20) to take wolf, \$30;
- (21) for persons age 12 and under to take turkey, no fee;
- (22) for persons age 10, 11, or 12 to take deer by firearm, no fee;
- (23) for persons age 10, 11, or 12 to take deer by archery, no fee; and
- (24) for persons age 10, 11, or 12 to take deer by muzzleloader during the muzzleloader season, no fee.

Sec. 20. Minnesota Statutes 2014, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to nonresidents, are:

- (1) for persons age 18 or over to take small game, \$90.50;
- (2) for persons age 18 or over to take deer with firearms during the regular firearms season, \$160;
- (3) for persons age 18 or over to take deer by archery, \$160;
- (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$160;
- (5) for persons age 18 or over to take bear, \$225;
- (6) for persons age 18 or over to take turkey, ~~\$91~~ \$86;
- (7) for persons age 13 or over and under age 18 to take turkey, \$5;
- (8) to take raccoon or bobcat, \$178;
- (9) to take Canada geese during a special season, \$4;
- (10) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season in any open season option or time period, \$5;
- (11) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- (12) for persons age 13 or over and under age 18 to take deer during the muzzleloader season, \$5;
- (13) for persons age 13 or over and under 18 to take bear, \$5;
- (14) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, \$75, of which an amount equal to: one-half of the fee for the migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under subdivision 4, shall be deposited into the wildlife acquisition account;
- (15) for persons age 16 or 17 to take small game, \$5;
- (16) to take wolf, \$250;
- (17) for persons age 12 and under to take turkey, no fee;
- (18) for persons age ten, 11, or 12 to take deer by firearm, no fee;
- (19) for persons age ten, 11, or 12 to take deer by archery, no fee;
- (20) for persons age ten, 11, or 12 to take deer by muzzleloader during the muzzleloader season, no fee; and
- (21) for persons age 10, 11, or 12 to take bear, no fee.

(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this surcharge.

Sec. 21. **97B.032 RULES LIMITING USE OF LEAD SHOT PROHIBITED.**

The commissioner of natural resources shall not adopt rules further restricting the use of lead shot.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to rules adopted on or after that date.

Sec. 22. Minnesota Statutes 2014, section 97B.035, subdivision 1, is amended to read:

Subdivision 1. **Hunting with bows released by mechanical devices.** (a) A person may not hunt with a bow drawn, held, or released by a mechanical device, except:

(1) with a disabled hunter permit issued under section 97B.106;

(2) as provided in section 97B.037 for persons age 60 or over; or

(3) as provided in paragraph (b).

(b) A person may use a mechanical device attached to the bowstring if the person's own strength draws, holds, and releases the bowstring.

Sec. 23. Minnesota Statutes 2015 Supplement, section 97B.041, is amended to read:

97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED IN DEER ZONES.

(a) A person may not possess a firearm or ammunition outdoors during the period beginning the fifth day before the open firearms season and ending the second day after the close of the season within an area where deer may be taken by a firearm, except:

(1) during the open season and in an area where big game may be taken, a firearm and ammunition authorized for taking big game in that area may be used to take big game in that area if the person has a valid big game license in possession;

(2) an unloaded firearm that is in a case or in a closed trunk of a motor vehicle;

(3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot or steel shot;

(4) a handgun or rifle capable of firing only rimfire cartridges of .17 and .22 caliber, including .22 magnum caliber cartridges;

(5) handguns possessed by a person authorized to carry a handgun under sections 624.714 and 624.715 for the purpose authorized; and

(6) on a target range operated under a permit from the commissioner.

(b) This section does not apply during an open firearms season in an area where deer may be taken only by muzzleloader, except that muzzle-loading firearms lawful for the taking of deer may be possessed only by persons with a valid license to take deer by muzzleloader during the muzzleloader season. While muzzleloader hunting, a person with a valid license to take deer by muzzleloader may not possess a firearm other than:

(1) a muzzleloader that is legal for taking deer under section 97B.031, subdivision 1; and

(2) a firearm as described in paragraph (a), clauses (2) to (5).

(c) A first violation of paragraph (a) is punishable by a warning if the person is shooting at an object that has been placed for the sole purpose of target shooting.

Sec. 24. Minnesota Statutes 2015 Supplement, section 97B.063, is amended to read:

97B.063 DEER HUNTER SATISFACTION SURVEY.

The commissioner shall annually administer the collection of deer hunter information related to participation and satisfaction. This may include information on preferences, values, interests, participation rates and patterns, barriers to participation, or other factors. The data shall be collected using established social science methods. The commissioner shall annually submit a summary of the information gathered under this section to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources no later than January 1 for the preceding fiscal year. The commissioner shall also make the summary information available on the department's Web site.

Sec. 25. Minnesota Statutes 2014, section 97B.071, is amended to read:

97B.071 ~~BLAZE ORANGE~~ CLOTHING REQUIREMENTS; BLAZE ORANGE OR BLAZE PINK.

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each foot square. This section does not apply to migratory waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary location while hunting deer by archery or when hunting small game by falconry.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

Sec. 26. Minnesota Statutes 2014, section 97B.086, is amended to read:

97B.086 POSSESSION OF NIGHT VISION OR THERMAL IMAGING EQUIPMENT.

(a) A person may not possess night vision or thermal imaging equipment while taking wild animals or while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to take wild animals.

(b) This section does not apply to a firearm that is:

(1) unloaded;

(2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and

(3) in the closed trunk of a motor vehicle.

(c) This section does not apply to a bow that is:

(1) completely encased or unstrung; and

(2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

(e) This section does not apply to night vision or thermal imaging equipment:

(1) possessed by peace officers or military personnel while exercising their duties; or

(2) possessed by an employee of a firearm or ammunition manufacturer for the purposes of testing a firearm, ammunition, or related product.

Sec. 27. Minnesota Statutes 2014, section 97B.305, is amended to read:

97B.305 COMMISSIONER MAY LIMIT NUMBER OF DEER HUNTERS.

(a) The commissioner may limit the number of persons that may hunt deer in an area if it is necessary to prevent an overharvest or improve the distribution of hunters. The commissioner may, by rule, establish a method, including a drawing, to impartially select the hunters for an area. The commissioner shall give preference to hunters that have previously applied and have not been selected and to landowners as provided under paragraph (b).

(b) When applicable, the commissioner must conduct a separate selection for up to 20 percent of the deer licenses to be issued for any area. Only persons who are owners or tenants of and who live on at least 80 acres of agricultural land, as defined in section 97B.001, in the permit area, and their family members who live on the qualifying land, are eligible applicants. The qualifying land may be noncontiguous. Persons who are unsuccessful in a separate selection must be included in the selection for the remaining licenses. A license issued under this paragraph is restricted to the permit area where the qualifying land is located. The commissioner may use rules adopted under section 97A.435, subdivision 4, paragraph (b), for determining eligible family members under this section.

Sec. 28. **[97B.427] FEEDING BEARS.**

Feeding a bear by hand or other physical contact is prohibited.

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

Sec. 29. Minnesota Statutes 2014, section 97B.516, is amended to read:

97B.516 ELK MANAGEMENT PLAN.

(a) The commissioner of natural resources must adopt an elk management plan that:

- (1) recognizes the value and uniqueness of elk;
- (2) provides for integrated management of an elk population in harmony with the environment; and
- (3) affords optimum recreational opportunities.

(b) Notwithstanding paragraph (a), the commissioner must not manage an elk herd in a manner that would increase the size of the herd, including adoption or implementation of an elk management plan designed to increase an elk herd, unless the commissioner of agriculture verifies that crop and fence damages paid under section 3.7371 and attributed to the herd have not increased for at least two years.

(c) At least 60 days prior to implementing a plan to increase an elk herd, the commissioners of natural resources and agriculture must hold a joint public meeting in the county where the elk herd to be increased is located. At the meeting, the commissioners must present evidence that crop and fence damages have not increased in the prior two years and must detail the practices that will be used to reduce elk conflicts with area landowners.

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

Sec. 30. Minnesota Statutes 2014, section 97B.731, subdivision 3, is amended to read:

Subd. 3. **Crow season.** ~~The commissioner shall prescribe a 124 day open season and restrictions for taking crows begins July 15 and ends October 31. The open season may not be shorter than the maximum season allowed under federal law.~~ The remainder of the year crows may be taken as allowed by federal law.

Sec. 31. Minnesota Statutes 2014, section 97B.811, subdivision 4a, is amended to read:

Subd. 4a. **Restrictions on certain motorized decoys.** ~~From the opening day of the duck season through the Saturday nearest October 8, a person may not use a motorized decoy, or other motorized device designed to attract migratory waterfowl. During the remainder of the duck season,~~ The commissioner may, by rule, designate all or any portion of a wetland or lake closed to the use of motorized decoys or motorized devices designed to attract migratory waterfowl. On water bodies and lands fully contained within wildlife management area boundaries, a person may not use motorized decoys or motorized devices designed to attract migratory waterfowl at any time during the duck season.

Sec. 32. **[97C.008] MUSKELLUNGE IN CERTAIN WATERS PROHIBITED.**

The commissioner of natural resources shall not introduce muskellunge or stock muskellunge in the following waters:

- (1) Big Marine Lake in Washington County;

(2) Fairmont Chain of Lakes in Martin County;

(3) Gull Chain of Lakes in Cass and Crow Wing Counties;

(4) Franklin Lake in Otter Tail County;

(5) Lizzie Lake in Otter Tail County; and

(6) Loon Lake in Otter Tail County.

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

Sec. 33. Minnesota Statutes 2014, section 97C.401, subdivision 2, is amended to read:

Subd. 2. ~~Walleye; northern pike.~~ (a) Except as provided in paragraph (b), a person may have no more than one walleye larger than 20 inches ~~and one northern pike larger than 30 inches~~ in possession.

(b) ~~The restrictions in~~ Paragraph (a) ~~do~~ does not apply to boundary waters.

Sec. 34. **RULEMAKING; NORTHERN PIKE.**

(a) The commissioner of natural resources shall amend Minnesota Rules, part 6262.0200, subpart 1, item G, to establish the daily and possession limits for northern pike in management zones according to paragraphs (b) to (e).

(b) The northeastern management zone includes all inland waters lying east and north of U.S. Highway 53 from International Falls to Duluth. In the northeastern management zone, the daily and possession limit for northern pike is two. When taking northern pike by angling in the northeastern management zone, only one over 40 inches in length may be in possession, and all northern pike from 30 to 40 inches in length must be immediately returned to the water. When taking northern pike by dark house spearing, only one over 26 inches in length may be in possession.

(c) The north central management zone includes all inland waters lying west and south of U.S. Highway 53 from International Falls to Duluth and north of a line described as follows: from the South Dakota border, along State Highway 7 to State Highway 22, thence south on State Highway 22 to U.S. Highway 212, thence east on U.S. Highway 212 to State Highway 41, thence south on State Highway 41 to the near or north bank of the Minnesota River, thence along the near banks of the Minnesota and Mississippi Rivers to the Wisconsin border. The north central management zone does not include waters of the Minnesota or Mississippi Rivers where those waters create the southern boundary of the zone. In the north central management zone, the daily and possession limit for northern pike is ten.

(1) When taking northern pike by angling in the north central management zone, only two over 26 inches in length may be in possession, and all northern pike from 22 to 26 inches must be immediately returned to the water.

(2) When taking northern pike by dark house spearing in the north central management zone:

(i) only two northern pike over 26 inches in length and no northern pike from 22 to 26 inches in length may be in possession; or

(ii) only one northern pike from 22 to 26 inches in length and one northern pike over 26 inches in length may be in possession.

(d) The southern management zone includes all inland waters lying south of a line described as follows: from the South Dakota border, along State Highway 7 to State Highway 22, thence south on State Highway 22 to U.S. Highway 212, thence east on U.S. Highway 212 to State Highway 41, thence south on State Highway 41 to and including the waters of the Minnesota River, thence along the Minnesota River to and including the waters of the Mississippi River to the Wisconsin border. In the southern management zone, the daily and possession limit for northern pike is two. The minimum size for northern pike taken by angling or dark house spearing in the southern management zone is 24 inches in length.

(e) The restrictions in paragraphs (b) to (d) do not apply in boundary waters.

(f) The commissioner may use the good cause exemption rulemaking procedure under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388.

(g) No later than January 15, 2027, the commissioner must report on the success of the northern pike regulations, together with recommendations on whether to keep or change the regulations. The report must be submitted to the senate and house of representatives committees having jurisdiction over environment and natural resources policy and finance.

Sec. 35. **RULEMAKING; BLAZE PINK.**

(a) The commissioner of natural resources shall amend Minnesota Rules, parts 6232.2500, 6232.2550, 6232.2560, 6232.3700, and 6232.4400, to allow a person to wear blaze pink as provided in Minnesota Statutes, section 97B.071.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

Sec. 36. **2016 MILLE LACS WALLEYE REGULATIONS.**

The commissioner of natural resources must allow the possession of one walleye over 28 inches for Lake Mille Lacs during the 2016 angling season until the state's portion of the walleye quota negotiated with the eight tribes has been met.

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

Sec. 37. **DAVID DILL TRAIL; APPROPRIATION.**

\$20,000 in fiscal year 2017 is appropriated from the natural resources fund to the commissioner of natural resources to design and erect signs marking the David Dill trail designated in this act. Of this amount, \$10,000 is from the snowmobile trails and enforcement account and \$10,000 is from the all-terrain vehicle account. This is a onetime appropriation.

Sec. 38. **REPEALER.**

Minnesota Statutes 2014, section 97A.075, subdivision 5, is repealed."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying off-road vehicle provisions; providing for David Dill memorial trail; modifying disposition of certain receipts; modifying report requirements; modifying game and fish penalty and enforcement provisions; modifying fees and requirements to take game and fish; modifying commissioner's duties; providing for elk management; requiring rulemaking; providing criminal penalties; appropriating money; amending Minnesota Statutes 2014, sections 3.7371, by adding a subdivision; 16C.135, by adding a subdivision; 84.798, subdivision 2; 84.8035; 85.015, subdivision 13; 97A.045, subdivision 7; 97A.055, subdivision 4; 97A.075, subdivision 1; 97A.201, by adding a subdivision; 97A.301, subdivision 1; 97A.338; 97A.405, subdivision 2; 97A.421, subdivision 2a; 97A.451, subdivision 6; 97A.473, subdivisions 3, 5, 5a; 97A.474, subdivision 3; 97A.475, subdivisions 2, 3; 97B.035, subdivision 1; 97B.071; 97B.086; 97B.305; 97B.516; 97B.731, subdivision 3; 97B.811, subdivision 4a; 97C.401, subdivision 2; Minnesota Statutes 2015 Supplement, sections 97B.041; 97B.063; proposing coding for new law in Minnesota Statutes, chapters 97B; 97C; repealing Minnesota Statutes 2014, section 97A.075, subdivision 5."

With the recommendation that when so amended the bill be re-referred to the Committee on Environment and Natural Resources Policy and Finance.

The report was adopted.

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

H. F. No. 2847, A bill for an act relating to transportation; capital investment; appropriating money for certain marked U.S. Highway 12 projects; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 2851, A bill for an act relating to human services; recodifying nursing facility payment language; making conforming changes; repealing obsolete provisions; amending Minnesota Statutes 2014, sections 144A.071, subdivision 2; 256B.0625, by adding a subdivision; 256B.19, subdivision 1e; 256B.431, subdivision 22; 256B.434, subdivision 10; 256B.48, subdivisions 2, 3a; 256B.50, subdivision 1a; Minnesota Statutes 2015 Supplement, sections 144A.15, subdivision 6; 256I.05, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 256R; repealing Minnesota Statutes 2014, sections 256B.0911, subdivision 7; 256B.25, subdivision 4; 256B.27, subdivision 2a; 256B.41, subdivisions 1, 2, 3; 256B.411, subdivisions 1, 2; 256B.421, subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; 256B.431, subdivisions 1, 2d, 2e, 2n, 2r, 2s, 2t, 3e, 32, 35, 42, 44; 256B.432, subdivisions 1, 2, 3, 4, 4a, 5, 6, 6a, 7, 8; 256B.433, subdivisions 1, 2, 3, 3a; 256B.434, subdivisions 2, 9, 11, 12, 14, 15, 16, 18, 19a, 20, 21; 256B.437, subdivisions 1, 3, 4, 5, 6, 7, 9, 10; 256B.438, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 256B.441, subdivisions 2, 3, 4, 7, 8, 9, 10, 11, 15, 18, 20, 22, 23, 24, 25, 27, 28a, 29, 32, 33a, 34, 36, 37, 38, 39, 41, 42a, 43, 46b, 47, 49, 57, 59, 60, 61, 64; 256B.47, subdivisions 1, 2, 3, 4; 256B.48, subdivisions 1, 1a, 1b, 1c, 3, 4, 5, 6a, 7, 8; Minnesota Statutes 2015 Supplement, sections 256B.431, subdivisions 2b, 36; 256B.441, subdivisions 1, 5, 6, 11a, 13, 14, 17, 30, 31, 33, 35, 40, 44, 46c, 46d, 48, 50, 51, 51a, 51b, 53, 54, 55a, 56, 63, 65, 66, 67; 256B.495, subdivisions 1, 5; Minnesota Rules, parts 9549.0035, subparts 1, 3, 7, 8; 9549.0041, subpart 6; 9549.0055, subparts 1, 2, 3; 9549.0070, subparts 2, 3.

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

The report was adopted.

McNamara from the Committee on Environment and Natural Resources Policy and Finance to which was referred:

H. F. No. 2866, A bill for an act relating to natural resources; providing for control of invasive species; modifying wild rice license requirements; providing for streamlined review of certain plans and regulations; modifying and providing civil penalties; requiring a report; amending Minnesota Statutes 2014, sections 17.4982, subdivision 18a; 84.027, subdivision 13; 84.091, subdivision 2; 84D.01, subdivision 2; 84D.05, subdivision 1; 84D.09, subdivision 2; 84D.10, subdivision 4; 84D.108, by adding a subdivision; 84D.13, subdivision 4; 116G.15, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 84.027, subdivision 13a; 84D.11, subdivision 1; 84D.13, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 84D.

Reported the same back with the following amendments:

Page 3, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2014, section 84.091, subdivision 2, is amended to read:

Subd. 2. **License required; exception exemptions.** (a) Except as provided in ~~paragraph (b)~~ this subdivision, a person may not harvest, buy, sell, transport, or possess aquatic plants without a license required under this chapter. A license shall be issued in the same manner as provided under the game and fish laws.

(b) A resident under the age of 18 years may harvest wild rice without a license, if accompanied by a person with a wild rice license.

(c) Tribal band members who possess a valid tribal identification card from a federally recognized tribe located in Minnesota are deemed to have a license to harvest wild rice under this section."

Page 8, after line 23, insert:

"Sec. 14. Minnesota Statutes 2014, section 88.01, is amended by adding a subdivision to read:

Subd. 28. **Prescribed burn.** "Prescribed burn" means a fire that is intentionally ignited, managed, and controlled by an entity meeting certification requirements established by the commissioner for the purpose of managing vegetation. A prescribed burn that has exceeded its prescribed boundaries and requires suppression action is considered a wildfire.

Sec. 15. Minnesota Statutes 2014, section 88.22, subdivision 1, is amended to read:

Subdivision 1. **Imposition of restrictions.** (a) **Road closure.** When the commissioner of natural resources shall determine that conditions conducive to wildfire hazards exist in the wildfire areas of the state and that the presence of persons in the wildlife areas tends to aggravate wildfire hazards, render forest trails impassable by driving thereon during wet seasons and hampers the effective enforcement of state timber trespass and game laws, the commissioner may by written order, close any road or trail leading into any land used for any conservation purposes, to all modes of travel except that considered essential such as residents traveling to and from their homes or in other cases to be determined by the authorized forest officers assigned to guard the area.

(b) **Burning ban.** The commissioner may also, upon such determination, by written order, suspend the issuance of permits for open fires or prescribed burns, revoke or suspend the operation of a permit previously issued and, to the extent the commissioner deems necessary, prohibit the building of all or some kinds of open fires or prescribed burns in all or any part of a wildfire area regardless of whether a permit is otherwise required; and the commissioner also may, by written order, prohibit smoking except at places of habitation or automobiles or other enclosed vehicles properly equipped with an efficient ash tray."

Page 9, after line 12, insert:

"Sec. 18. **PRESCRIBED BURN REQUIREMENTS; REPORT.**

The commissioner of natural resources, in cooperation with prescribed burning professionals, nongovernmental organizations, and local and federal governments, must develop criteria for certifying an entity to conduct a prescribed burn under a general permit. The certification requirements must include training, equipment, and experience requirements and include an apprentice program to allow entities without experience to become certified. The commissioner must establish provisions for decertifying entities. The commissioner must not require additional certification or requirements for burns conducted as part of normal agricultural practices not currently subject to prescribed burn specifications. The commissioner must submit a report with recommendations and any legislative changes needed to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources by January 15, 2017.

Sec. 19. **SAND DUNES STATE FOREST; REPORT.**

(a) Until July 1, 2017, the commissioner of natural resources shall not log, enter into a logging contract, or otherwise remove trees for purposes of creating oak savanna in the Sand Dunes State Forest. This paragraph does not prohibit work done under contracts entered into prior to the effective date of this section or work on school trust lands.

(b) By January 15, 2017, the commissioner must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources with the Department of Natural Resources' progress on collaborating with local citizens and other stakeholders over the past year when making decisions that impact the landscape, including forest conversions and other clear-cutting activities, and its progress on other citizen engagement activities.

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "modifying Wildfire Act; prohibiting certain logging in Sand Dunes State Forest;" and delete "a"

Page 1, line 5, delete "report" and insert "reports"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 2927, A bill for an act relating to transportation; permitting specific service signs at two locations under certain circumstances; amending Minnesota Statutes 2014, section 160.293, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 13, delete everything after "located"

Page 1, delete line 14

Page 1, line 15, delete the new language and strike the old language

Page 1, line 16, strike everything before the period and insert "between trunk highways and within 15 miles of each qualifying intersection or interchange"

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

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 2946, A bill for an act relating to game and fish; providing game and fish resident licenses for nonresident National Guard members; amending Minnesota Statutes 2014, section 97A.465, 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.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 2961, A bill for an act relating to natural resources; modifying conditions for state park passes issued without a fee to military members and disabled veterans; amending Minnesota Statutes 2014, section 85.053, subdivisions 8, 10.

Reported the same back with the following amendments:

Page 1, line 9, delete "inactive" and insert "active"

With the recommendation that when so amended the bill be re-referred to the Committee on Environment and Natural Resources Policy and Finance.

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 3002, A bill for an act relating to game and fish; providing preference for certain landowners when conducting deer-hunting lotteries; amending Minnesota Statutes 2014, section 97B.305.

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.

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

H. F. No. 3039, A bill for an act relating to health; providing for nursing facility moratorium exception funding; amending Minnesota Statutes 2014, section 144A.073, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 3045, A bill for an act relating to health; modifying provisions for health care quality of care and complaint investigation process; requiring a report; amending Minnesota Statutes 2014, sections 62D.04, subdivision 1; 62Q.72, subdivision 1, by adding a subdivision; 145.64, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 62D.04, subdivision 1, is amended to read:

Subdivision 1. **Application review.** Upon receipt of an application for a certificate of authority, the commissioner of health shall determine whether the applicant for a certificate of authority has:

(a) demonstrated the willingness and potential ability to assure that health care services will be provided in such a manner as to enhance and assure both the availability and accessibility of adequate personnel and facilities;

(b) arrangements for an ongoing evaluation of the quality of health care, including a peer review process;

(c) a procedure to develop, compile, evaluate, and report statistics relating to the cost of its operations, the pattern of utilization of its services, the quality, availability and accessibility of its services, and such other matters as may be reasonably required by regulation of the commissioner of health;

(d) reasonable provisions for emergency and out of area health care services;

(e) demonstrated that it is financially responsible and may reasonably be expected to meet its obligations to enrollees and prospective enrollees. In making this determination, the commissioner of health shall require the amount of initial net worth required in section 62D.042, compliance with the risk-based capital standards under sections 60A.50 to 60A.592, the deposit required in section 62D.041, and in addition shall consider:

(1) the financial soundness of its arrangements for health care services and the proposed schedule of charges used in connection therewith;

(2) arrangements which will guarantee for a reasonable period of time the continued availability or payment of the cost of health care services in the event of discontinuance of the health maintenance organization; and

(3) agreements with providers for the provision of health care services;

(f) demonstrated that it will assume full financial risk on a prospective basis for the provision of comprehensive health maintenance services, including hospital care; provided, however, that the requirement in this paragraph shall not prohibit the following:

(1) a health maintenance organization from obtaining insurance or making other arrangements (i) for the cost of providing to any enrollee comprehensive health maintenance services, the aggregate value of which exceeds \$5,000 in any year, (ii) for the cost of providing comprehensive health care services to its members on a nonelective emergency basis, or while they are outside the area served by the organization, or (iii) for not more than 95 percent of the amount by which the health maintenance organization's costs for any of its fiscal years exceed 105 percent of its income for such fiscal years; and

(2) a health maintenance organization from having a provision in a group health maintenance contract allowing an adjustment of premiums paid based upon the actual health services utilization of the enrollees covered under the contract, except that at no time during the life of the contract shall the contract holder fully self-insure the financial risk of health care services delivered under the contract. Risk sharing arrangements shall be subject to the requirements of sections 62D.01 to 62D.30;

(g) demonstrated that it has made provisions for and adopted a conflict of interest policy applicable to all members of the board of directors and the principal officers of the health maintenance organization. The conflict of interest policy shall include the procedures described in section 317A.255, subdivisions 1 and 2. However, the commissioner is not precluded from finding that a particular transaction is an unreasonable expense as described in section 62D.19 even if the directors follow the required procedures; and

(h) otherwise met the requirements of sections 62D.01 to 62D.30.

Sec. 2. **[62D.115] QUALITY OF CARE COMPLAINTS.**

Subdivision 1. Quality of care complaint. For purposes of this section, "quality of care complaint" means an expressed dissatisfaction regarding the clinical quality of health care services rendered by a provider, resulting in potential or actual harm to an enrollee. Quality of care complaints include the following, to the extent that they affect the clinical quality of health care services rendered: access, provider and staff competence, appropriateness of care, communications, behavior, facility and environmental considerations, and other factors that impact the clinical quality of health care services.

Subd. 2. Quality of care complaint investigation. (a) Each health maintenance organization shall develop and implement policies and procedures for a quality of care complaint investigation process that meets the requirements of this section. The health maintenance organization must have a written policy and procedure for receipt, investigation, and follow-up of quality of care complaints, including the requirements in paragraphs (b) to (g).

(b) The definition of quality of care complaint in the complaint investigation process must include the concerns identified in subdivision 1.

(c) The complaint investigation process must include a description of levels of severity including:

(1) classification of complaints that warrant peer protection confidentiality as defined by the commissioner under paragraph (h); and

(2) investigation procedures for each level of severity.

(d) Every complaint with an allegation regarding quality of care or service must be investigated by the health maintenance organization. Documentation must show every allegation was addressed.

(e) Conclusions must be supported with evidence that may include an associated corrective action plan implemented and documented and a formal response from a provider to the health plan. The record of investigation must include all related documents, correspondence, summaries, discussions, consultations, and conferences held.

(f) A medical director review must be conducted when there is potential for patient harm.

(g) Quality of care complaints must be tracked and trended for review according to provider and type of quality of care issue such as behavior, facility, environmental, and technical competence.

(h) The commissioner, in consultation with any interested stakeholders, shall define complaints that are subject to peer protection confidentiality in accordance with state and federal law by January 1, 2018.

Subd. 3. **Complaint reporting.** Each health maintenance organization shall submit to the commissioner, as part of the company's annual filing, data on the number of complaints and the category as defined by the commissioner. Categories shall include access, communication and behavior, health plan administration, facilities and environment, coordination of care, and technical competence and appropriateness. The commissioner shall define complaint categories in consultation with interested stakeholders by January 1, 2018.

Subd. 4. **Record keeping.** Each health maintenance organization shall maintain records of all quality of care complaints and their resolutions. These records shall be retained for five years and, notwithstanding section 145.64, shall be made available to the commissioner upon request. Information provided to the commissioner according to this subdivision shall be classified as confidential data on individuals as defined in section 13.02, subdivision 3."

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.

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

H. F. No. 3048, A bill for an act relating to health; modifying the population served by residential hospice facilities to include children who need respite care or palliative care; amending Minnesota Statutes 2014, section 144A.75, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 144A.75, subdivision 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 144A.75, subdivision 5, is amended to read:

Subd. 5. **Hospice provider.** "Hospice provider" means an individual, organization, association, corporation, unit of government, or other entity that is regularly engaged in the delivery, directly or by contractual arrangement, of hospice services for a fee to terminally ill hospice patients. A hospice must provide all core services.

Sec. 2. Minnesota Statutes 2014, section 144A.75, subdivision 6, is amended to read:

Subd. 6. **Hospice patient.** "Hospice patient" means an individual ~~who has been diagnosed as terminally ill, with a probable life expectancy of under one year, as~~ whose illness has been documented by the individual's attending physician and hospice medical director, who alone or, when unable, through the individual's family has voluntarily consented to and received admission to a hospice provider, and who:

(1) has been diagnosed as terminally ill, with a probable life expectancy of under one year; or

(2) is 21 years of age or younger and has been diagnosed with a life-threatening illness contributing to a shortened life expectancy.

Sec. 3. Minnesota Statutes 2014, section 144A.75, subdivision 8, is amended to read:

Subd. 8. **Hospice services; hospice care.** "Hospice services" or "hospice care" means palliative and supportive care and other services provided by an interdisciplinary team under the direction of an identifiable hospice administration to ~~terminally ill~~ hospice patients and their families to meet the physical, nutritional, emotional, social, spiritual, and special needs experienced during the final stages of illness, dying, and bereavement, or during a life-threatening illness contributing to a shortened life expectancy. These services are provided through a centrally coordinated program that ensures continuity and consistency of home and inpatient care that is provided directly or through an agreement.

Sec. 4. Minnesota Statutes 2015 Supplement, section 144A.75, subdivision 13, is amended to read:

Subd. 13. **Residential hospice facility.** (a) "Residential hospice facility" means a facility that resembles a single-family home modified to address life safety, accessibility, and care needs, located in a residential area that directly provides 24-hour residential and support services in a home-like setting for hospice patients as an integral part of the continuum of home care provided by a hospice and that houses:

(1) no more than eight hospice patients; or

(2) at least nine and no more than 12 hospice patients with the approval of the local governing authority, notwithstanding section 462.357, subdivision 8.

(b) Residential hospice facility also means a facility that directly provides 24-hour residential and support services for hospice patients and that:

(1) houses no more than 21 hospice patients;

(2) meets hospice certification regulations adopted pursuant to title XVIII of the federal Social Security Act, United States Code, title 42, section 1395, et seq.; and

(3) is located on St. Anthony Avenue in St. Paul, Minnesota, and was licensed as a 40-bed non-Medicare certified nursing home as of January 1, 2015.

Sec. 5. Minnesota Statutes 2014, section 144A.75, is amended by adding a subdivision to read:

Subd. 13a. **Respite care.** "Respite care" means short-term care in an inpatient facility such as a residential hospice facility, when necessary to relieve the hospice patient's family or other persons caring for the patient. Respite care may be provided on an occasional basis."

Delete the title and insert:

"A bill for an act relating to health; modifying definitions related to hospice services to include care to certain individuals 21 years of age or younger diagnosed with a life-threatening condition; amending Minnesota Statutes 2014, section 144A.75, subdivisions 5, 6, 8, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 144A.75, subdivision 13."

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.

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

H. F. No. 3082, A bill for an act relating to criminal justice; expanding the damage to energy transmission or telecommunications equipment crime; amending Minnesota Statutes 2014, section 609.593, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 609.593, subdivision 1, is amended to read:

Subdivision 1. **Crime.** Whoever intentionally and without consent from one authorized to give consent causes any damage to or takes, removes, severs, or breaks:

(1) any line erected or maintained for the purpose of transmitting electricity for light, heat, or power, or any insulator or cross-arm, appurtenance or apparatus connected to the line, or any wire, cable, or current of the line; or any component used in the generation, transmission, or distribution of electricity, including equipment used for grounding, system protection, or personnel protection;

(2) any pipe or main or hazardous liquid pipeline erected, operated, or maintained for the purpose of transporting, conveying, or distributing gas or other hazardous liquids for light, heat, power, or any other purpose, or any part of the pipe, main, or pipeline, or any valve, meter, holder, compressor, machinery, appurtenance, equipment, or apparatus connected with any main or pipeline; or

(3) any machinery, equipment, or fixtures used in receiving, initiating, amplifying, processing, transmitting, retransmitting, recording, switching, or monitoring telecommunications services, such as computers, transformers, amplifiers, routers, repeaters, multiplexers, and other items performing comparable functions; and machinery, equipment, and fixtures used in the transportation of telecommunications services, radio transmitters and receivers, satellite equipment, microwave equipment, and other transporting media including wire, cable, fiber, poles, and conduit;

is guilty of a crime and may be sentenced as provided in subdivision 2.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date."

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. 3169, A bill for an act relating to human services; modifying the operating payment rate for certain nonprofit nursing facilities in border cities; amending Minnesota Statutes 2015 Supplement, section 256B.441, subdivision 66.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 3189, A bill for an act relating to transportation; capital investment; providing for grants for freight railroad preservation and improvement; authorizing the sale and issuance of state bonds; appropriating money; amending Minnesota Statutes 2014, section 222.50, by adding a subdivision.

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

The report was adopted.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3243, A bill for an act relating to workforce development; appropriating money for rural career counseling coordinators.

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.

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

H. F. No. 3251, A bill for an act relating to public safety; modifying the amount the propane education research council may assess; amending Laws 2001, chapter 130, section 3.

Reported the same back with the recommendation that 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. 3287, A bill for an act relating to human services; appropriating money for an assessment of advanced in-home activity-monitoring systems.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 3304, A bill for an act relating to game and fish; modifying season for taking crows; amending Minnesota Statutes 2014, section 97B.731, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 97B.731, subdivision 3, is amended to read:

Subd. 3. **Crow season.** The ~~commissioner shall prescribe a 124 day open season and restrictions~~ for taking crows begins July 15 and ends October 31. ~~The open season may not be shorter than the maximum season allowed under federal law.~~ The remainder of the year crows may be taken as allowed by federal law."

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. 3350, A bill for an act relating to human services; directing the commissioner to develop a long-term care simulation model; requiring a report; appropriating money.

Reported the same back with the following amendments:

Page 1, line 19, delete "This appropriation expires June 30, 2018."

Page 1, line 20, after "2018" insert "only"

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.

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

H. F. No. 3353, A bill for an act relating to agriculture; establishing voluntary solar site management practices for solar sites; allowing local governments to require management practices as a condition of a site permit; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

The report was adopted.

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

H. F. No. 3374, A bill for an act relating to health; modifying requirements for the distribution of funds for grants to provide family planning services; specifying the entities eligible for family planning grants; requiring the commissioner of health to apply for and distribute federal Title X funds for family planning services; amending Minnesota Statutes 2014, sections 145.882, subdivisions 2, 3, 7; 145.925, subdivisions 1, 1a, by adding subdivisions; repealing Minnesota Statutes 2014, section 145.925, subdivisions 2, 9.

Reported the same back with the following amendments:

Page 5, after line 20, insert:

"Sec. 10. Minnesota Statutes 2014, section 145.925, is amended by adding a subdivision to read:

Subd. 10. **Reporting and publication of grant and subgrant recipients.** At least once every grant cycle, a public entity that distributes funds under subdivision 1e shall provide the commissioner of health with a list of the entities that received subgrants to provide family planning services and the amount of each subgrant. At least once every grant cycle, the commissioner of health shall publish on the department's Web site a list of all the entities that received funds as a grant from the commissioner under subdivision 1d or a subgrant from a public entity under subdivision 1e, and the amount of the grant or subgrant received by each entity."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring reporting and publication of grant recipients;"

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.

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

H. F. No. 3384, A bill for an act relating to insurance; making changes to the life insurance reserves; amending Minnesota Statutes 2014, sections 61A.24, subdivision 12, by adding a subdivision; 61A.25.

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

The report was adopted.

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

H. F. No. 3385, A bill for an act relating to public safety; enhancing penalties and establishing minimum fines for repeat violations of driving without a valid license; amending Minnesota Statutes 2014, section 171.24.

Reported the same back with the following amendments:

Page 2, line 32, delete "convictions" and insert "penalties"

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.

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

H. F. No. 3404, A bill for an act relating to transportation; prohibiting location of school bus stops in right-turn lanes except under specified conditions; requiring use of prewarning amber signals, flashing red signals, and stop-signal arms when stopping in right-turn lanes; amending Minnesota Statutes 2014, section 169.443, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 21, before "lane" insert "right-turn"

Page 1, line 22, delete everything after "cross" and insert "the street on which the bus stop is located where the crossing leads directly to or from the school bus stop;"

Page 2, line 2, after "board" insert "or its designee"

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

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 3501, A bill for an act relating to natural resources; making distributions quarterly from the minerals management account; amending Minnesota Statutes 2014, section 93.2236.

Reported the same back with the following amendments:

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 2014, section 93.50, is amended to read:

93.50 APPEAL.

Any person aggrieved by any order, ruling, or decision of the commissioner may ~~appeal~~ seek judicial review of such order, ruling, or decision ~~in the manner provided in chapter 14~~ under sections 14.63 to 14.69."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying reclamation appeal provisions;"

Correct the title numbers accordingly

With the recommendation that when so amended 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. 3508, A bill for an act relating to elections; providing for Public Utilities Commission members to be elected at the state general election; amending Minnesota Statutes 2014, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 204B.06, subdivision 4a; 204B.11, subdivision 1; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211B.01, subdivision 3; 216A.03, subdivision 3, by adding subdivisions; 290.06, subdivision 23; Minnesota Statutes 2015 Supplement, section 10A.27, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 204D; repealing Minnesota Statutes 2014, section 216A.03, subdivisions 1, 1a.

Reported the same back with the following amendments:

Page 7, line 8, delete "July" and insert "January"

With the recommendation that when so amended the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 3516, A bill for an act relating to natural resources; modifying off-road vehicle registration requirements; providing for resident trail pass; amending Minnesota Statutes 2014, sections 84.798, subdivision 2; 84.8035.

Reported the same back with the following amendments:

Page 1, after line 12, insert:

"EFFECTIVE DATE. This section is effective January 1, 2017, or when the electronic licensing system has been upgraded, whichever is sooner."

Page 3, after line 2, insert:

"**EFFECTIVE DATE.** This section is effective January 1, 2017, or when the electronic licensing system has been upgraded, whichever is sooner."

With the recommendation that when so amended 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. 3517, A bill for an act relating to aeronautics; regulating the operation of unmanned aircraft systems; providing penalties; authorizing rulemaking; amending Minnesota Statutes 2014, sections 360.013, by adding a subdivision; 360.075, subdivision 1, by adding subdivisions; 360.55, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 360.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[609.5001] INTERFERING WITH PUBLIC SAFETY HELICOPTERS; UNMANNED AERIAL VEHICLES.**

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

(b) "Public safety helicopter" is a helicopter operated by a law enforcement agency, fire department, or emergency medical service provider.

(c) "Unmanned aerial vehicle" means a powered, aerial vehicle that:

(1) does not carry a human operator;

(2) can fly autonomously or be piloted remotely;

(3) uses aerodynamic forces to provide vehicle lift;

(4) can be expendable or recoverable; and

(5) can carry a lethal or nonlethal payload.

Subd. 2. **Crime.** Whoever knowingly operates an unmanned aerial vehicle within one mile of a public safety helicopter during operations is guilty of a crime and shall be punished as provided in subdivision 3.

Subd. 3. **Penalty.** (a) A person who violates subdivision 2 is guilty of a misdemeanor.

(b) A person who violates subdivision 2 a second or subsequent time is guilty of a gross misdemeanor.

Subd. 4. **Exception.** A person does not violate subdivision 2 if the person receives permission to operate an unmanned aerial vehicle within one mile of a public safety helicopter during operations from the law enforcement agency, fire department, or emergency medical service provider operating the public safety helicopter."

Delete the title and insert:

"A bill for an act relating to public safety; prohibiting the use of unmanned aerial vehicles near public safety helicopters; proposing coding for new law in Minnesota Statutes, chapter 609."

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.

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

H. F. No. 3548, A bill for an act relating to transportation; amending certain regulations and penalties governing special transportation service providers; setting requirements for nonemergency medical transportation providers related to background studies; amending Minnesota Statutes 2014, section 174.30, subdivisions 1, 4a, 8, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 174.30, subdivisions 4, 10; 256B.0625, subdivision 17.

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

The report was adopted.

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

H. F. No. 3582, A bill for an act relating to human services; providing medical assistance coverage for services provided by a community medical response emergency medical technician; amending Minnesota Statutes 2014, section 256B.0625, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 3584, A bill for an act relating to state government; ratifying labor agreements.

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

The report was adopted.

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

H. F. No. 3588, A bill for an act relating to transportation; governing certain motor vehicle weight limits; providing for an increase in weight limits for certain vehicles powered by natural gas; making technical changes; amending Minnesota Statutes 2014, section 169.824, subdivision 2, by adding a subdivision.

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

The report was adopted.

Hackbarth from the Committee on Mining and Outdoor Recreation Policy to which was referred:

H. F. No. 3634, A bill for an act relating to state lands; modifying certain boathouse lease terms; amending Laws 2000, chapter 486, section 4, as amended.

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.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3637, A bill for an act relating to economic development; appropriating money for a study of the economic growth in southeast Minnesota.

Reported the same back with the following amendments:

Page 1, line 5, after "COMMUNITY" insert "AND"

Page 1, line 6, delete "ASSOCIATION" and insert "ASSOCIATES"

Page 1, line 8, delete "the" and after "Community" insert "and"

Page 1, line 9, delete "Association" and insert "Associates"

Page 1, line 10, after the period, insert "This is a onetime appropriation and is available until June 30, 2019."

With the recommendation that when so amended the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

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

H. F. No. 3724, A bill for an act relating to elections; establishing a voting equipment grant account; providing for grants to counties and municipalities for the acquisition of certain authorized voting equipment; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 206.

Reported the same back with the following amendments:

Page 1, line 23, before "A" insert "Subject to subdivision 5."

Page 2, after line 22, insert:

"Subd. 5. **Future grant awards limited; local savings plans authorized.** After a grant under this section has been awarded to a county or municipality, it is the intent of the legislature that the state will contribute no more than 25 percent of the total cost of future voting equipment purchases or leases by the same county or municipality. Notwithstanding any law to the contrary, counties and municipalities are authorized to establish appropriate accounts and reasonable dedicated funding mechanisms to establish savings to be used for future voting equipment replacement needs."

Renumber the subdivisions in sequence

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1099, 1560, 1948, 2294, 2332, 2389, 2451, 2552, 2607, 2741, 2771, 2772, 2851, 2866, 2927, 3082, 3251, 3304, 3384, 3404, 3501 and 3588 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Isaacson introduced:

H. F. No. 3774, A bill for an act relating to taxation; individual income; reducing the 7.05 percent rate to 6.45 percent; amending Minnesota Statutes 2014, section 290.06, subdivisions 2c, 2d.

The bill was read for the first time and referred to the Committee on Taxes.

Franson introduced:

H. F. No. 3775, A bill for an act relating to health; establishing a research program to measure the impact on health care treatment outcomes and costs of providing iron-rich foods to children and pregnant women with iron deficiency anemia; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Albright, Vogel and O'Driscoll introduced:

H. F. No. 3776, A bill for an act relating to deposits and investments of public funds; granting certain cities and counties additional investment authority; proposing coding for new law in Minnesota Statutes, chapter 118A.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Persell introduced:

H. F. No. 3777, A bill for an act relating to human services; appropriating money to Chemical Addiction Recovery Enterprise program.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Ward, Yarusso, Mariani, Liebling, Davnie and Bly introduced:

H. F. No. 3778, A bill for an act relating to criminal justice; appropriating money for training emergency responders.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Ward, Norton, Mariani, Yarusso, Davnie and Liebling introduced:

H. F. No. 3779, A bill for an act relating to public safety; clarifying petition for judicial restoration of ability to possess firearms and ammunition; amending Minnesota Statutes 2015 Supplement, section 609.165, subdivision 1d.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Hamilton; Loeffler; Murphy, E.; Mariani; Thissen; Moran; Davnie; Johnson, S.; Hausman; Ward; Clark; Newton and Mullery introduced:

H. F. No. 3780, A bill for an act relating to human services; establishing a health care program for low-income uninsured adults and children who are ineligible for medical assistance or MinnesotaCare; amending Minnesota Statutes 2014, section 256B.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256L.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Loon and Murphy, E., introduced:

H. F. No. 3781, A bill for an act relating to human services; allowing for income and child development in the first three years of life demonstration project.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

McNamara introduced:

H. F. No. 3782, A bill for an act relating to higher education; creating reimbursement procedures for the University of Minnesota for money from the environment and natural resources trust fund; amending Minnesota Statutes 2014, section 137.025, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

Fabian, Ecklund, Metsa, Anzelc and Hackbarth introduced:

H. F. No. 3783, A bill for an act relating to environment; providing for expedited environmental review billing option; appropriating money; amending Minnesota Statutes 2015 Supplement, section 116.07, subdivision 4d.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

Davids introduced:

H. F. No. 3784, A bill for an act relating to capital investment; appropriating money for the Blufflands Trail System Recreational Trails system; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy.

Davids introduced:

H. F. No. 3785, A bill for an act relating to taxation; sales and use; providing an exemption for building materials purchased by nonprofit snowmobile clubs; amending Minnesota Statutes 2014, section 297A.71, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Youakim introduced:

H. F. No. 3786, A bill for an act relating to real property; requiring landlords to provide tenants with copy of written notice of public hearings regarding proposed official controls or zoning changes affecting the leased property; proposing coding for new law in Minnesota Statutes, chapter 504B.

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices.

Davids introduced:

H. F. No. 3787, A bill for an act relating to taxation; sales and use; requiring remote sellers without a physical presence in the state to collect and remit sales and use tax; amending Minnesota Statutes 2014, section 297A.66, subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Nornes introduced:

H. F. No. 3788, A bill for an act relating to game and fish; allowing hunters with a disability to hunt with laser sights; providing criminal penalties; amending Minnesota Statutes 2014, section 97B.081, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy.

Nornes introduced:

H. F. No. 3789, A bill for an act relating to higher education; providing for the administration of the MnSCU two-year college program; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education Policy and Finance.

Zerwas introduced:

H. F. No. 3790, A bill for an act relating to human services; modifying medical assistance payment rates for durable medical equipment, prosthetics, orthotics, and supplies; amending Minnesota Statutes 2015 Supplement, section 256B.766.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

O'Neill; Baker; Zerwas; Johnson, B.; Barrett; Hertaus; Considine; Hilstrom; Lohmer and Ward introduced:

H. F. No. 3791, A bill for an act relating to corrections; appropriating money for various correctional purposes.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Metsa, Ecklund, Anzelc, Lueck and Marquart introduced:

H. F. No. 3792, A bill for an act relating to natural resources; appropriating money for transfer to certain snowmobile and all-terrain vehicle accounts.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

Considine introduced:

H. F. No. 3793, A bill for an act relating to state government; requiring commissioner of management and budget to send bills to employees and former employees for insurance through multiple channels; proposing coding for new law in Minnesota Statutes, chapter 43A.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Fabian introduced:

H. F. No. 3794, A bill for an act relating to taxation; property tax; providing for supplemental county program aid payment.

The bill was read for the first time and referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Hamilton moved that the name of Isaacson be added as an author on H. F. No. 1852. The motion prevailed.

Nash moved that the name of Runbeck be added as an author on H. F. No. 2585. The motion prevailed.

Peterson moved that the name of Wills be added as an author on H. F. No. 2714. The motion prevailed.

Fenton moved that the name of Mullery be added as an author on H. F. No. 2805. The motion prevailed.

Koznick moved that the name of Masin be added as an author on H. F. No. 2956. The motion prevailed.

Albright moved that the name of Isaacson be added as an author on H. F. No. 3241. The motion prevailed.

Gunther moved that the name of Lien be added as an author on H. F. No. 3243. The motion prevailed.

Fenton moved that the name of Mullery be added as an author on H. F. No. 3340. The motion prevailed.

Hamilton moved that the name of Metsa be added as an author on H. F. No. 3544. The motion prevailed.

Dettmer moved that the name of Lohmer be added as an author on H. F. No. 3712. The motion prevailed.

Dehn, R., moved that the name of Bly be added as an author on H. F. No. 3732. The motion prevailed.

Daniels moved that the name of Bly be added as an author on H. F. No. 3752. The motion prevailed.

Ecklund moved that the names of Anzelc and Metsa be added as authors on H. F. No. 3772. The motion prevailed.

Clark moved that H. F. No. 3504 be recalled from the Committee on Aging and Long-Term Care Policy and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

Pugh moved that H. F. No. 3553 be recalled from the Committee on Health and Human Services Reform and be re-referred to the Committee on Higher Education Policy and Finance. The motion prevailed.

O'Neill moved that S. F. No. 2614 be recalled from the Committee on Higher Education Policy and Finance and together with H. F. No. 2798, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 4:00 p.m., Monday, April 4, 2016. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 4:00 p.m., Monday, April 4, 2016.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

