

STATE OF MINNESOTA

EIGHTY-NINTH SESSION — 2015

 THIRTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 7, 2015

The House of Representatives convened at 12:00 noon and was called to order by Kurt Daudt, Speaker of the House.

Prayer was offered by the Very Reverend Paul Lebens-Englund, St. Mark's Cathedral, Minneapolis, 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:

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

A quorum was present.

Allen, Atkins, Dill, Halverson, Hansen, Hilstrom and Selcer were excused.

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

REPORTS OF CHIEF CLERK

S. F. No. 619 and H. F. No. 654, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Zerwas moved that S. F. No. 619 be substituted for H. F. No. 654 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 27, 2015

The Honorable Kurt Daudt
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Daudt:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 423, relating to health; eliminating the requirement of a variance for a staff requirement for ambulance services; allowing alternative ambulance staffing in certain areas; allowing a licensed ambulance service in limited areas to accept full mutual aid support on a part-time basis.

Sincerely,

MARK DAYTON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2015 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2015</i>	<i>Date Filed 2015</i>
	423	6	3:01 p.m. March 27	March 27

Sincerely,

STEVE SIMON
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

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

Reported the same back with the recommendation that the bill be 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. 210, A bill for an act relating to health care; requiring a hospital to provide a patient the opportunity to designate a caregiver upon entry to the hospital; requiring a hospital to provide a discharge plan and aftercare instructions to a designated caregiver prior to discharge; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 2, line 4, before the period, insert "or other temporary residence such as the home of a family member or designated caregiver"

Page 2, line 21, delete "be deemed to have" and insert "obtain"

Page 2, line 22, delete "obtained" and after "information" insert "related to the patient's discharge plan"

Page 2, line 23, delete "following" and insert "and follow"

Page 2, line 24, delete "in compliance with"

Page 3, delete lines 7 and 8

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. 233, A bill for an act relating to civil commitment; clarifying the alternative to use of interactive video conference in civil commitment hearings; amending Minnesota Statutes 2014, sections 253B.08, subdivision 2a; 253B.12, subdivision 2a; 253D.28, subdivision 2.

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

The report was adopted.

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

H. F. No. 238, A bill for an act relating to game and fish; allowing residents age 84 or over to take deer of either sex; amending Minnesota Statutes 2014, section 97B.301, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 337, A bill for an act relating to campaign finance; modifying provisions related to the campaign finance and public disclosure board; making changes to provisions related to enforcement, registration, fees, data, contributions, statements of economic interest, and various other provisions administered by the board; providing penalties; making technical changes; amending Minnesota Statutes 2014, sections 10A.01, subdivisions 11, 26; 10A.02, subdivision 11; 10A.03, subdivision 3; 10A.08, subdivision 1; 10A.09, subdivisions 6, 10; 10A.14, subdivisions 1, 1a, 4; 10A.17, subdivision 4; 10A.20, subdivisions 1, 2, 3; 10A.25, subdivision 10; 10A.27, subdivision 1; 10A.273, subdivisions 1, 3; 10A.322, subdivision 4; 10A.34, by adding a subdivision; 13.607, subdivision 5, by adding a subdivision; 211A.01, subdivision 5; 211B.04; 211B.12; 211B.15, subdivisions 2, 11; 211B.37; repealing Minnesota Statutes 2014, section 10A.20, subdivision 1c; Minnesota Rules, part 4503.1500, subpart 2.

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. 339, A bill for an act relating to judiciary; appropriating money for a grant to Beltrami County for planning and development of a comprehensive mental health services program for individuals under arrest or subject to arrest.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **APPROPRIATION FOR COMPREHENSIVE MENTAL HEALTH CENTER IN BELTRAMI COUNTY.**

(a) \$1,500,000 is appropriated for the 2016-2017 biennium from the general fund to the commissioner of human services for a grant to Beltrami County to fund the planning and development of a comprehensive mental health center for individuals under arrest or subject to arrest who are experiencing a mental health crisis, or under a transport hold under Minnesota Statutes, section 253B.05, subdivision 2, in Beltrami County and northwestern Minnesota. The program must be a sustainable, integrated care model for the provision of mental health and substance use disorder treatment for the population served in collaboration with existing services. The model may include mobile crisis services, crisis residential services, outpatient services, and community-based services. The model must be patient-centered, culturally competent, and based on evidence-based practices.

(b) The program shall maintain data on the extent to which the center reduces incarceration and hospitalization rates for individuals with mental illness or co-occurring disorders, and the extent to which the center impacts service utilization for these individuals. In order to have the capacity to be replicated in other areas of the state, the center must report outcomes to the commissioner, at a time and in a manner determined by the commissioner. The commissioner shall use the data to evaluate the effect the program has on incarceration rates and services utilization, and report to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over health and human services and corrections issues every two years, beginning February 1, 2017.

(c) The commissioner shall encourage the commissioners of the Minnesota Housing Finance Agency, corrections, and health to provide technical assistance and support to this program. The commissioner, together with the commissioner of health, shall determine the most appropriate model for licensure of the proposed services and which agency will regulate the services of the center. The commissioners of the Minnesota Housing Finance Agency and human services shall work with the center to provide short-term and long-term housing for individuals served by the center within the limits of existing appropriations available for low-income housing or homelessness."

Amend the title as follows:

Page 1, line 3, delete "services program" and insert "center for individuals under arrest, subject to arrest, or under a transport hold."

Page 1, delete line 4

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.

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

H. F. No. 378, A bill for an act relating to taxation; individual income; allowing a subtraction for certain expenditures for medical care and health insurance; amending Minnesota Statutes 2014, section 290.01, subdivision 19b.

Reported the same back with the following amendments:

Page 4, line 31, delete "as defined in section"

Page 4, line 32, delete "213(d) of the Internal Revenue Code" and insert ". For purposes of this clause, "medical care" means amounts paid for services and goods for which a federal Medicaid match would be available under chapter 256B, without regard to whether the provider received reimbursement under chapter 256B, and amounts paid for insurance, as defined in section 213(d)(1)(D) of the Internal Revenue Code"

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

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 420, A bill for an act relating to taxation; individual income; providing a credit for new STEM and long-term care employees; proposing coding for new law in Minnesota Statutes, chapter 290.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

"(b) "Economic development region" means any of the development regions defined in section 462.385."

Reletter the paragraphs in sequence

Page 1, line 13, after "qualified" insert "position in a qualified"

Page 1, line 14, before the period, insert ", except that the employment must be in a qualified field in which the job vacancy rate for the qualified economic development region is greater than 110 percent of the statewide average. In the case of a qualified position under Standard Occupational Classification (SOC) code 29-0000 or SOC code 31-0000, the employer must have a primary business activity in the qualified field of long-term care"

Page 1, line 22, after the period, insert "For an individual who obtained a qualifying degree before 2003, the maximum qualifying amount is the amount under this paragraph for an individual who completed a qualifying degree in 2003."

Page 2, after line 13, insert:

"(h) "Qualified position" means a position in one of the following SOC codes:

(1) SOC code 15-0000, computer and mathematical occupations;

(2) SOC code 17-0000, architecture and engineering occupations;

(3) SOC code 19-0000, life, physical, and social science occupations;

(4) SOC code 29-0000, health care practitioners and technical occupations; and

(5) SOC code 31-0000, health care support occupations.

(i) "Standard Occupational Classification" or "SOC" means the 2010 Standard Occupational Classification adopted by the United States Bureau of Labor Statistics."

Page 2, line 19, before the period, insert "provided that the individual remains employed in a qualified position in a qualified field in the economic development region where the individual first became eligible for the credit"

Page 2, line 25, after "data" insert "for each qualified field"

Page 2, line 27, after "regions" insert ", including for each qualified economic development region a listing of the qualified field or fields that meet the job vacancy parameters in subdivision 1, paragraph (g)."

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

The report was adopted.

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

H. F. No. 451, A bill for an act relating to family law; modifying provision related to the effect of a recognition of parentage; making changes to the recognition form; modifying the definition of obligor; modifying basic support under certain circumstances; modifying a method for determining potential income for purposes of child support determinations; establishing consumer reporting agency requirements for nonpayment of child support; amending Minnesota Statutes 2014, sections 257.75, subdivisions 3, 5; 518A.26, subdivision 14; 518A.32, subdivision 2; 518A.43, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518A.

Reported the same back with the following amendments:

Page 4, line 8, after "may" insert "deviate from the presumptive child support obligation under section 518A.34 and"

Page 4, delete section 6 and insert:

"Sec. 6. **[518A.685] CONSUMER REPORTING AGENCY; REPORTING ARREARS.**

(a) If a public authority determines that an obligor has not paid the current monthly support obligation plus any required arrearage payment for three months, the public authority must report this information to a consumer reporting agency.

(b) Before reporting that an obligor is in arrears for court-ordered child support, the public authority must:

(1) provide written notice to the obligor that the public authority intends to report the arrears to a consumer reporting agency; and

(2) mail the written notice to the obligor's last known mailing address at least 30 days before the public authority reports the arrears to a consumer reporting agency.

(c) The obligor may, within 21 days of receipt of the notice, do the following to prevent the public authority from reporting the arrears to a consumer reporting agency:

(1) pay the arrears in full; or

(2) request an administrative review. An administrative review is limited to issues of mistaken identity, a pending legal action involving the arrears, or an incorrect arrears balance.

(d) If the public authority has reported that an obligor is in arrears for court-ordered child support and subsequently determines that the obligor has paid the court-ordered child support arrears in full, or is paying the current monthly support obligation plus any required arrearage payment, the public authority must report to the consumer reporting agency that the obligor is currently paying child support as ordered by the court.

(e) A public authority that reports arrearage information under this section must make monthly reports to a consumer reporting agency. The monthly report must be consistent with credit reporting industry standards for child support.

(f) For purposes of this section, "consumer reporting agency" has the meaning given in section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f)."

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.

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

H. F. No. 498, A bill for an act relating to education; providing for physical education standards and benchmarks; requiring assessments; amending graduation requirements; amending Minnesota Statutes 2014, sections 120B.021, subdivisions 1, 3, 4; 120B.024, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reported the same back with the following amendments:

Page 2, line 7, delete "school district needs" and insert "state interest"

Page 2, line 9, delete "develop" and insert "make available"

Page 2, line 10, delete "2017-2018" and insert "2018-2019"

Page 2, line 19, after "studies," insert "physical education."

Page 2, lines 24 to 26, delete the new language

Page 3, delete section 4

Page 4, delete subdivision 1

Renumber the subdivisions in sequence

Page 5, line 3, before "A" insert "A student may be excused from a physical education class if the student submits written information signed by a physician stating that physical activity will jeopardize the student's health, among other excuses sanctioned by school policies."

Page 5, line 8, delete "A"

Page 5, line 9, delete "student must not be excluded" and insert "Schools are strongly encouraged not to exclude students in kindergarten through grade 5"

Page 5, line 10, delete "highly qualified"

Page 5, line 11, before the period, insert "or provide cocurricular instruction"

Page 5, line 12, delete "that"

Page 5, delete line 13

Page 5, line 14, delete "teaching methods" and insert "under section 122A.60"

Page 5, after line 14, insert:

"Sec. 6. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance reports.** (a) The commissioner shall report student academic performance under section 120B.35, subdivision 2; the percentages of students showing low, medium, and high growth under section 120B.35, subdivision 3, paragraph (b); school safety and student engagement and connection under section 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35, subdivision 3, paragraph (c); the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause (2), whose progress and performance levels are meeting career and college readiness benchmarks under sections 120B.30, subdivision 1, and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible districts in reducing disparities in students' academic achievement and realizing racial and economic integration under section 124D.861; the acquisition of English, and where practicable, native language academic literacy, including oral academic language, and the academic progress of English learners under section 124D.59, subdivisions 2 and 2a; the weekly amount of time students in kindergarten through grade 8 are scheduled to spend in physical education class, the percent of students in kindergarten through grade 12 who receive a passing grade in physical education, and the number of required physical education credits high school students must complete to graduate; two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios; staff characteristics excluding salaries; student enrollment demographics; district mobility; and extracurricular activities. The report also must indicate a school's adequate yearly progress status under applicable federal law, and must not set any designations applicable to high- and low-performing schools due solely to adequate yearly progress status.

(b) The commissioner shall develop, annually update, and post on the department Web site school performance reports.

(c) The commissioner must make available performance reports by the beginning of each school year.

(d) A school or district may appeal its adequate yearly progress status in writing to the commissioner within 30 days of receiving the notice of its status. The commissioner's decision to uphold or deny an appeal is final.

(e) School performance data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance reports to the department's public Web site no later than September 1, except that in years when the reports reflect new performance standards, the commissioner shall post the school performance reports no later than October 1.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to reports for the 2017-2018 school year and later."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "requiring assessments; amending graduation requirements;"

Correct the title numbers accordingly

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

The report was adopted.

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

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

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government 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. 518, A bill for an act relating to family law; clarifying parenting time rebuttable presumption; modifying remedies following denial of court-ordered parenting time or other agreements; allowing post-decree modification of maintenance; requiring disclosure of income information; allowing an alternate effective date for modification of child support; amending Minnesota Statutes 2014, sections 518.175, subdivisions 1, 6; 518.552, subdivision 5; 518A.28; 518A.39, subdivision 2.

Reported the same back with the following amendments:

Page 5, after line 24, insert:

"(e) If the court finds that a party has violated a court order or statute requiring the party to disclose income or employment information and any changes to that information, the court may issue an order requiring compensation and cost and reasonable attorney fees to the party who was wrongfully deprived of the information, but in no event later than three years from the date the information should have been provided. A party who brings a meritless motion for such relief may be ordered to pay costs and reasonable attorney fees to the other party."

Page 8, delete lines 5 to 11 and insert "order if the parties enter into a binding agreement for an alternative effective 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. 573, A bill for an act relating to human services; modifying medical assistance coverage to include consultations with licensed independent clinical social workers; amending Minnesota Statutes 2014, section 256B.0625, subdivision 48.

Reported the same back with the following amendments:

Page 1, line 10, delete "or"

Page 1, line 11, after "worker" insert ", a licensed marriage and family therapist, or a licensed professional clinical counselor"

Amend the title as follows:

Page 1, line 2, delete "modifying" and insert "expanding" and delete "to include"

Page 1, line 3, delete everything before the semicolon and insert "of consultations by additional providers"

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.

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

H. F. No. 586, A bill for an act relating to local government; providing the town of Tofte with certain housing authority powers.

Reported the same back with the following amendments:

Page 1, line 13, delete everything after "for" and insert "individuals over 55 years of age or families with one member of the household that is over 55 years of age; or"

Page 1, delete line 14

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.

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

H. F. No. 610, A bill for an act relating to transportation; motor vehicles; providing for registration of towed recreational vehicles on a three-year cycle; amending Minnesota Statutes 2014, section 168.013, subdivision 1g.

Reported the same back with the following amendments:

Page 1, line 15, after "taxed" insert "under either one of the following, as determined by the vehicle owner: (1)" and reinstate the stricken "annually"

Page 1, line 16, delete the new language and reinstate the stricken language

Page 1, line 17, delete the comma and strike "but" and insert "; or (2) once every three years on the basis of total gross weight at 90 percent of the Minnesota base rate prescribed in subdivision 1e, provided that the filing fee under section 168.33, subdivision 7, paragraph (a), is multiplied by three, with funds collected by the commissioner allocated proportionally in the same manner as provided in section 168.33, subdivision 7, paragraph (e)." and after "event" insert "is the tax under this paragraph"

With the recommendation that when so amended 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. 683, A bill for an act relating to agriculture; providing for the development and regulation of an industrial hemp industry; authorizing industrial hemp research; requiring rulemaking; providing a defense for possession of industrial hemp; modifying the definition of wild hemp; appropriating money; amending Minnesota Statutes 2014, sections 18J.01; 18J.02; 18J.03; 18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.09; 18J.11, subdivision 1, by adding a subdivision; 375.30, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 18K.

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

The report was adopted.

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

H. F. No. 745, A bill for an act relating to veterans preference; modifying certain procedures and rights related to veterans preference; amending Minnesota Statutes 2014, section 197.46.

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. 792, A bill for an act relating to health records; adding adult children of a deceased patient to the definition of patient; amending Minnesota Statutes 2014, section 144.291, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 6, before "adult" insert "surviving"

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. 795, A bill for an act relating to certain state government programs; implementing a cost-benefit approach to measure success of corrections and human services programs; appropriating money.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 7, delete "RURAL" and delete "COUNSELING" and insert "PATHWAYS"

Page 1, line 8, delete everything after "area"

Page 1, delete line 9

Page 1, line 10, delete everything before "must" and delete "counseling" and insert "pathways"

Page 1, lines 13, 14, and 16, delete "counseling" and insert "pathways"

Page 1, line 21, delete "providing" and insert "coordinating"

Page 2, line 1, delete the first "and" and insert a comma

Page 2, line 2, after "schools" insert ", and FastTRAC programs and other grant programs"

Page 2, lines 4, 6, 11, 14, 17, and 27, delete "counseling" and insert "pathways"

Page 2, line 16, delete "served" and insert "assisted" and delete "counseling" and insert "pathways"

Page 2, line 23, delete "RURAL" and delete "COUNSELING" and insert "PATHWAYS"

Page 2, line 25, delete "\$2,250,000" and insert "\$1,250,000" and delete "is" and insert "and \$1,250,000 in fiscal year 2017 are"

Page 2, line 26, delete "rural"

Page 2, line 29, delete "investment boards" and insert "councils" and after "the" insert "workforce"

Page 3, line 4, delete everything after "(b)"

Page 3, delete lines 5 to 7

Page 3, line 8, delete "area," and insert "Funds available under this section are" and delete "counseling" and insert "advising"

Page 3, line 9, delete "counseling" and insert "advising"

Amend the title as follows:

Page 1, line 2, delete "rural" in both places and delete "counseling" and insert "pathways"

Page 1, line 3, delete "rural" and delete "counseling" and insert "pathways"

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.

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

H. F. No. 840, A bill for an act relating to elections; modifying various provisions related to elections administration, including provisions related to school boards, voters, ballots, registration, violations, absentee ballots, candidates, vacancies, recounts, filing fees, and precincts; modifying military and overseas absentee voting provisions; providing the Uniform Faithful Presidential Electors Act; making various technical changes; amending Minnesota Statutes 2014, sections 123B.09, subdivision 1; 200.02, subdivisions 7, 23, by adding subdivisions; 201.071, subdivision 1; 201.158; 201.275; 203B.01, subdivision 3; 203B.07, subdivision 1; 203B.08, subdivisions 1, 3; 203B.121, subdivision 2; 203B.16, subdivisions 1, 2; 203B.17, subdivisions 1, 2; 204B.06, subdivision 1b; 204B.07, subdivision 2; 204B.13, subdivisions 1, 2, 5; 204B.131, subdivision 1; 204B.19, subdivision 6; 204B.36, subdivisions 1, 2, 3, 4; 204B.44; 204B.45, subdivision 2; 204C.04, subdivision 2; 204C.08, subdivision 1d; 204C.13, subdivisions 2, 3, 5; 204C.22, subdivisions 3, 4, 7, 10; 204C.35, subdivisions 1, 2; 204C.36, subdivisions 1, 2; 204C.40, subdivision 2; 204D.11, subdivision 4; 204D.27, subdivision 11; 205.13, subdivision 3; 206.90, subdivision 6; 208.02; 208.03; 208.06; 209.01, subdivision 2; 209.021, subdivisions 2, 3; 209.09, subdivision 2; 365.22, subdivisions 2, 3; 367.31, subdivision 4; 368.85, subdivision 4; 376.04; 412.551, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 208; repealing Minnesota Statutes 2014, sections 204B.14, subdivision 6; 204C.13, subdivision 4; 204C.30, subdivision 1; 208.07; 208.08; 383A.555.

Reported the same back with the following amendments:

Page 14, after line 12, insert:

"Sec. 19. Minnesota Statutes 2014, section 204B.19, subdivision 2, is amended to read:

Subd. 2. **Individuals not qualified to be election judges.** (a) Except as provided in paragraph (b), no individual shall be appointed as an election judge for any precinct if that individual:

(1) is unable to read, write, or speak the English language;

(2) is the spouse; parent, including a stepparent; child, including a stepchild; or sibling, including a stepsibling; of any election judge serving in the same precinct or of any candidate at that election; ~~or~~

(3) is domiciled, either permanently or temporarily, with any candidate on the ballot at that election; or

(4) is a candidate at that election.

(b) Individuals who are related to each other as provided in paragraph (a), clause (2), may serve as election judges in the same precinct, provided that they serve on separate shifts that do not run concurrently."

Page 30, line 13, delete "204B.14, subdivision 6;"

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 868, A bill for an act relating to human services; increasing the medical assistance reimbursement rate for critical access mental health services provided by certain providers; amending Minnesota Statutes 2014, section 256B.763.

Reported the same back with the following amendments:

Page 2, delete lines 19 to 21 and insert:

"(h) For services defined in paragraph (b) and rendered on or after January 1, 2016, by a professional under section 245.462, subdivision 18, clauses (2), (3), (5), and (6), who did not receive a rate adjustment under paragraph (a), payment rates shall be increased 23.7 percent over the rates in effect July 1, 2015."

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.

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

H. F. No. 879, A bill for an act relating to education finance; establishing an agricultural educator grant program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete everything after the period

Page 1, delete line 9

Page 1, line 15, delete "30" and insert "40"

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

The report was adopted.

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

H. F. No. 920, A bill for an act relating to economic development; the destination medical center; modifying computation of the city's local contribution; restricting the use of funds; amending Minnesota Statutes 2014, sections 469.40, subdivision 11, as amended; 469.45, subdivisions 1, 2; 469.46; 469.47, subdivision 4, as amended, by adding a subdivision; Laws 1998, chapter 389, article 8, section 43, subdivision 3, as amended; proposing coding for new law in Minnesota Statutes, chapter 16A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[16A.1246] NO SPENDING FOR CERTAIN RAIL PROJECTS.**

(a) Except as provided in paragraph (b), no appropriation or other state money, whether in the general or another fund, must be expended or used for any costs related to studying the feasibility of, planning for, designing, engineering, acquiring property or constructing facilities for or related to, or development or operation of intercity or interregional passenger rail facilities or operations between the city of Rochester or locations in its metropolitan area and any location in the metropolitan area, as defined in section 473.121, subdivision 2.

(b) The restrictions under this section do not apply to funds obtained from contributions, grants, or other voluntary payments made by nongovernmental entities from private sources.

EFFECTIVE DATE. This section is effective the day following final enactment, except it does not apply to funds appropriated under Laws 2009, chapter 93, article 1, section 11, subdivision 5.

Sec. 2. **[16B.2965] PROPERTY LEASED FOR RAIL PROJECTS.**

If a state official leases, loans, or otherwise makes available state lands, air rights, or any other state property for use in connection with passenger rail facilities, as described in section 16A.1246, the lease or other agreement must include or be secured by a security bond or equivalent guarantee that allows the state to recover any costs it incurs in

connection with the rail project from a responsible third party or secure source of capital, if the passenger rail facilities are not constructed, are abandoned, or do not go into operation. These costs include restoring state property to its original condition.

(b) For purposes of this section, "state official" includes the commissioner, the commissioner of transportation, or any other state official with authority to enter a lease or other agreement providing for use by a nonstate entity of state property.

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

Sec. 3. **[117.028] CONDEMNATION FOR CERTAIN RAIL FACILITIES PROHIBITED.**

Notwithstanding section 222.27, or any other law to the contrary, no condemning authority may take property for the development or construction of or for facilities related to intercity or interregional passenger rail facilities or operations between the city of Rochester or locations in its metropolitan area and any location in the metropolitan area, as defined in section 473.121, subdivision 2.

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

Sec. 4. **[459.36] NO SPENDING OF PUBLIC MONEY FOR CERTAIN RAIL PROJECTS.**

(a) Except as provided in paragraph (b), no city, county, or destination medical center entity may spend or use any money, for any costs related to studying the feasibility of, planning for, designing, engineering, acquiring property or constructing facilities for or related to, or development or operation of intercity or interregional passenger rail facilities or operations between the city of Rochester or locations in its metropolitan area and any location in the metropolitan area, as defined in section 473.121, subdivision 2. The provisions of this section apply to the statutory and home rule charter cities and counties located in development regions 10 and 11, as designated under section 462.385, subdivision 1. Destination medical center entity includes the Destination Medical Center Corporation and agency as those terms are defined in section 469.40, and any successor or related entity.

(b) The restrictions under this section do not apply to funds the city or county obtains from contributions, grants, or other voluntary payments made by nongovernmental entities from private sources.

EFFECTIVE DATE. This section is effective the day following final enactment without local approval under Minnesota Statutes, section 645.023, subdivision 1, clause (c).

Sec. 5. **[473.1467] NO SPENDING FOR CERTAIN RAIL PROJECTS.**

(a) Except as provided in paragraph (b), the council must not spend or use any money for any costs related to studying the feasibility of, planning for, designing, engineering, acquiring property or constructing facilities for or related to, or development or operation of intercity or interregional passenger rail facilities or operations between the city of Rochester or locations in its metropolitan area and any location in the metropolitan area.

(b) The restrictions under this section do not apply to funds the council obtains from contributions, grants, or other voluntary payments made by nongovernmental entities from private sources.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, and Washington."

Delete the title and insert:

"A bill for an act relating to transportation; mass transit; restricting expenditures and other powers related to certain rail projects; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 117; 459; 473."

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

The report was adopted.

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

H. F. No. 961, A bill for an act relating to game and fish; allowing residents of Minnesota veterans homes to take antlerless deer without permit; amending Minnesota Statutes 2014, section 97A.465, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 984, A bill for an act relating to property taxation; phasing out the state general levy over six years; repealing the student achievement levy; amending Minnesota Statutes 2014, sections 126C.13, subdivision 4; 275.025, subdivision 1; repealing Minnesota Statutes 2014, section 126C.13, subdivisions 3a, 3b, 3c.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, line 7, delete "Sec. 2." and insert "Section 1."

Page 3, delete section 3

Amend the title as follows:

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

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1003, A bill for an act relating to local government; permitting local governments to donate certain surplus equipment to nonprofit organizations; creating an exception to tort liability; amending Minnesota Statutes 2014, section 466.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471.

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. 1151, A bill for an act relating to human services; modifying medical assistance coverage and reimbursement for dental services; authorizing development of a new dental reimbursement system; convening a work group on oral health system administrative simplification; covering basic dental screenings performed by dental hygienists and dental therapists; appropriating money; amending Minnesota Statutes 2014, sections 256B.0625, subdivisions 9, 14; 256B.76, subdivision 2.

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.

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

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

Reported the same back with the following amendments:

Page 5, line 25, before the period, insert ", if the patient has provided annual consent, consistent with section 144.293, subdivisions 2 and 4"

Page 6, line 11, after "144.293" insert ", if the patient has provided annual consent, consistent with section 144.293, subdivisions 2 and 4"

Page 6, line 14, after "144.293" insert ", if the patient has provided annual consent, consistent with section 144.293, subdivisions 2 and 4"

Page 8, line 1, delete "to the extent" and insert "upon written documentation that access to the data are"

Page 8, after line 17, insert:

"Only individuals with explicit authorization may enter, update, or access not public data. The ability of authorized individuals to enter, update, or access data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual, and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the

data are not otherwise classified by law. The authorization of any individual determined to have willfully entered, updated, accessed, shared, or disseminated data in violation of this section, or any other provision of law, must be immediately and permanently revoked. If an individual is determined to have willfully gained access to data without explicit authorization, the matter must be forwarded to the county attorney for prosecution."

Page 8, after line 31, insert:

"Only individuals with explicit authorization may enter, update, or access not public data. The ability of authorized individuals to enter, update, or access data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual, and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law. The authorization of any individual determined to have willfully entered, updated, accessed, shared, or disseminated data in violation of this section, or any other provision of law, must be immediately and permanently revoked. If an individual is determined to have willfully gained access to data without explicit authorization, the matter must be forwarded to the county attorney for prosecution."

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. 1167, A bill for an act relating to public safety; motor vehicles; permitting secure electronic storage of certain records; amending Minnesota Statutes 2014, sections 168.33, subdivision 2; 171.061, subdivision 3.

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. 1359, A bill for an act relating to counties; repealing the requirement for appointment of an overseer of roads in unorganized territories of a county; repealing Minnesota Statutes 2014, section 375.23.

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

The report was adopted.

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

H. F. No. 1429, A bill for an act relating to state lands; providing for public and private sales and conveyances of certain state lands; modifying prior sale authority; amending Laws 2012, chapter 236, section 28, subdivision 6; Laws 2013, chapter 73, section 30.

Reported the same back with the following amendments:

Page 5, after line 10, insert:

"Sec. 6. **SALE OF TAX-FORFEITED LAND; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 282.01, or any other law to the contrary, Cass County shall convey the tax-forfeited parcels specified in paragraph (c) to the city of Pillager for less than their appraised value.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Cass County and is identified as:

Parcels 93-352-0010; 93-352-0105; 93-352-0110; 93-352-0115; 93-352-0120; 93-352-0205; 93-352-0210; 93-352-0225; 93-352-0230; 93-352-0235; 93-352-0305; 93-352-0310; 93-352-0320; 93-352-0340; 93-352-0345; 93-352-0440; 93-352-0445; 93-352-0450; 93-352-0455; 93-352-0460; 93-352-0505; 93-352-0510; 93-352-0515; 93-352-0520; 93-352-0525; 93-352-0610; 93-352-0740; and 93-352-0745.

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

Page 7, after line 5, insert:

"Sec. 11. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may convey to the state of Minnesota for no consideration or sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Hennepin County and is described as: that part of the Southwest Half of the Southwest Half commencing at a point 66 feet South from the center point of the south end of the dam; thence East 150 feet; thence North to the Crow River; thence westerly along the river to a point 50 feet westerly from the center point of the south end of the dam; thence South to a point distant 50 feet West from the beginning; thence East to the beginning. Also a cartway as described in Doc. No. 3937489 (PID 36-120-24 33 0002).

(d) The county has determined that the county's land management interests would best be served by conveying the land to the state.

Sec. 12. **PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may sell by public or private sale the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. Prior to the sale, the commissioner of revenue shall grant a permanent conservation easement according to Minnesota Statutes, section 282.37, for the land described in paragraph (c). The easement shall be 50 feet in width along the shoreline to provide riparian protection.

(c) The land to be sold is located in Hennepin County and is described as: that part of Government Lot 2 in Section 21, Township 120, Range 23, described as: commencing at the southwest corner thereof; thence South 89 degrees 48 minutes 24 seconds East on an assumed bearing along the south line of Government Lot 2 a distance of 438.00 feet to the point of beginning; thence North 00 degrees 13 minutes 06 seconds East parallel to the west line of Government Lot 2 a distance of 874.50 feet; thence South 89 degrees 48 minutes 24 seconds East a distance of 57.00 feet; thence North 00 degrees 13 minutes 06 seconds East a distance of 891.00 feet to the shore of Cowley Lake; thence northeasterly along the shoreline a distance of 1,043.00 feet to the east line of Government Lot 2; thence South 00 degrees 20 minutes 20 seconds West along said east line to a point 1,604.32 feet North of the southeast corner of Government Lot 2; thence North 89 degrees 39 minutes 40 seconds West a distance of 154.63 feet; thence South 22 degrees 32 minutes 57 seconds West a distance of 930.19 feet; thence South 00 degrees 13 minutes 06 seconds West a distance of 744.43 feet to the south line of Government Lot 2; thence North 89 degrees 48 minutes 24 seconds West along said south line a distance of 387.00 feet to the point of beginning (PID 21-120-23 13 0004).

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

Sec. 13. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; HUBBARD COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hubbard County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Hubbard County and is described as: 7.56 acres of Government Lot 9, Section 4, Township 141, Range 35, identified as parcel number 02.04.00600.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Page 16, line 5, after "150" insert "feet"

Page 17, line 32, after "convey" insert "for no consideration"

Page 18, line 10, delete "21" and insert "25"

Renumber the sections in sequence

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

The report was adopted.

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

H. F. No. 1467, A bill for an act relating to condemnation; limiting railroad condemnation power in Hennepin County for public safety reasons; proposing coding for new law in Minnesota Statutes, chapter 383B.

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. 1470, A bill for an act relating to the secretary of state; regulating business fees and filings; amending Minnesota Statutes 2014, sections 272.484; 303.19; 304A.301, subdivisions 1, 5, 6, by adding a subdivision; 336A.09, subdivision 1.

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

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1479, A bill for an act relating to taxation; income; establishing a credit and subtraction for certain contributions for higher education expenses; amending Minnesota Statutes 2014, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

Reported the same back with the following amendments:

Page 4, line 31, delete "Minnesota"

Page 4, line 32, delete "organized under chapter 136G" and insert "qualifying under section 529 of the Internal Revenue Code"

Page 5, line 2, delete "terms Minnesota"

Page 5, delete lines 3 and 4 and insert "term federal adjusted gross income has the meaning given under section 62(a) of the Internal Revenue Code, and nonqualified distribution means any distribution that is includible in gross income under section 529 of the Internal Revenue Code."

Page 5, line 8, delete "Minnesota college savings plan, as established in chapter 136G," and insert "college savings plan account qualifying under section 529 of the Internal Revenue Code,"

Page 5, line 10, delete "200" and insert "50"

Page 5, line 11, delete "zero, but not more than 150 percent of" and insert "\$80,000;"

Page 5, delete lines 12 to 18

Page 5, line 19, delete "(4)" and insert "(2)"

Page 5, line 21, delete "(5)" and insert "(3)"

Page 5, line 23, delete "(6)" and insert "(4)"

Page 5, line 25, delete "(3)" and insert "(1)"

Page 5, line 26, delete "(4) to (6)" and insert "(2) to (4)"

Page 6, delete subdivisions 3 and 4 and insert:

"Subd. 3. **Credit refundable.** If the amount of credit that an individual is eligible to receive under this section exceeds the individual's tax liability under this chapter, the commissioner shall refund the excess to the individual."

Renumber the subdivisions in sequence

Amend the title as follows:

Page 1, line 2, after "a" insert "refundable"

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

The report was adopted.

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

H. F. No. 1482, A bill for an act relating to health; changing provisions in the medical cannabis program; amending Minnesota Statutes 2014, sections 144.99, subdivision 1; 152.22, subdivision 4; 152.25, subdivision 1; 152.26; 152.27, subdivisions 2, 6; 152.29, subdivisions 1, 2, 3; 152.32, subdivision 2; Laws 2014, chapter 311, section 20; proposing coding for new law in Minnesota Statutes, chapter 152.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 152.25, subdivision 1, is amended to read:

Subdivision 1. **Medical cannabis manufacturer registration.** (a) The commissioner shall register two in-state manufacturers for the production of all medical cannabis within the state by December 1, 2014, unless the commissioner obtains an adequate supply of federally sourced medical cannabis by August 1, 2014. The commissioner shall register new manufacturers or reregister the existing manufacturers by December 1 ~~of each year~~ every three years, using the factors described in paragraph (c). The commissioner shall continue to accept applications after December 1, 2014, if two manufacturers that meet the qualifications set forth in this subdivision do not apply before December 1, 2014. The commissioner's determination that no manufacturer exists to fulfill the duties under sections 152.22 to 152.37 is subject to judicial review in Ramsey County District Court. Data submitted during the application process are private data on individuals or nonpublic data as defined in section 13.02 until the manufacturer is registered under this section. Data on a manufacturer that is registered are public data, unless the data are trade secret or security information under section 13.37.

(b) As a condition for registration, a manufacturer must agree to:

- (1) begin supplying medical cannabis to patients by July 1, 2015; and
- (2) comply with all requirements under sections 152.22 to 152.37.

(c) The commissioner shall consider the following factors when determining which manufacturer to register:

(1) the technical expertise of the manufacturer in cultivating medical cannabis and converting the medical cannabis into an acceptable delivery method under section 152.22, subdivision 6;

(2) the qualifications of the manufacturer's employees;

(3) the long-term financial stability of the manufacturer;

(4) the ability to provide appropriate security measures on the premises of the manufacturer;

(5) whether the manufacturer has demonstrated an ability to meet the medical cannabis production needs required by sections 152.22 to 152.37; and

(6) the manufacturer's projection and ongoing assessment of fees on patients with a qualifying medical condition.

(d) The commissioner shall require each medical cannabis manufacturer to contract with an independent laboratory to test medical cannabis produced by the manufacturer. The commissioner shall approve the laboratory chosen by each manufacturer and require that the laboratory report testing results to the manufacturer in a manner determined by the commissioner.

Sec. 2. Minnesota Statutes 2014, section 152.27, subdivision 6, is amended to read:

Subd. 6. **Patient enrollment.** (a) After receipt of a patient's application, application fees, and signed disclosure, the commissioner shall enroll the patient in the registry program and issue the patient and patient's registered designated caregiver or parent or legal guardian, if applicable, a registry verification. The commissioner shall approve or deny a patient's application for participation in the registry program within 30 days after the commissioner receives the patient's application and application fee. The commissioner may approve applications up to 60 days after the receipt of a patient's application and application fees until January 1, 2016. A patient's enrollment in the registry program shall only be denied if the patient:

(1) does not have certification from a health care practitioner that the patient has been diagnosed with a qualifying medical condition;

(2) has not signed and returned the disclosure form required under subdivision 3, paragraph (c), to the commissioner;

(3) does not provide the information required;

(4) has previously been removed from the registry program for violations of section 152.30 or 152.33; or

(5) provides false information.

(b) The commissioner shall give written notice to a patient of the reason for denying enrollment in the registry program.

(c) Denial of enrollment into the registry program is considered a final decision of the commissioner and is subject to judicial review under the Administrative Procedure Act pursuant to chapter 14.

(d) A patient's enrollment in the registry program may only be revoked upon the death of the patient or if a patient violates a requirement under section 152.30 or 152.33.

(e) The commissioner shall develop a registry verification to provide to the patient, the health care practitioner identified in the patient's application, and to the manufacturer. The registry verification shall include:

(1) the patient's name and date of birth;

(2) the patient registry number assigned to the patient;

(3) the patient's qualifying medical condition as provided by the patient's health care practitioner in the certification; and

(4) the name and date of birth of the patient's registered designated caregiver, if any, or the name of the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver.

Sec. 3. Minnesota Statutes 2014, section 152.29, subdivision 1, is amended to read:

Subdivision 1. **Manufacturer; requirements.** (a) A manufacturer shall operate four distribution facilities, which may include the manufacturer's single location for cultivation, harvesting, manufacturing, packaging, and processing but is not required to include that location. A manufacturer is required to begin distribution of medical cannabis from at least one distribution facility by July 1, 2015. All distribution facilities must be operational and begin distribution of medical cannabis by July 1, 2016. The distribution facilities shall be located based on geographical need throughout the state to improve patient access. A manufacturer shall disclose the proposed locations for the distribution facilities to the commissioner during the registration process. A manufacturer shall operate only one location where all cultivation, harvesting, manufacturing, packaging, and processing shall be conducted. Any additional distribution facilities may dispense medical cannabis and medical cannabis products but may not contain any medical cannabis in a form other than those forms allowed under section 152.22, subdivision 6, and the manufacturer shall not conduct any cultivation, harvesting, manufacturing, packaging, or processing at an additional distribution facility site. Any distribution facility operated by the manufacturer is subject to all of the requirements applying to the manufacturer under sections 152.22 to 152.37, including, but not limited to, security and distribution requirements.

(b) A medical cannabis manufacturer shall contract with a laboratory approved by the commissioner, subject to ~~the commissioner's approval of the laboratory and~~ any additional requirements set by the commissioner, for purposes of testing medical cannabis manufactured by the medical cannabis manufacturer as to content, contamination, and consistency to verify the medical cannabis meets the requirements of section 152.22, subdivision 6. The cost of laboratory testing shall be paid by the manufacturer.

(c) The operating documents of a manufacturer must include:

(1) procedures for the oversight of the manufacturer and procedures to ensure accurate record keeping; and

(2) procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(d) A manufacturer shall implement security requirements, including requirements for protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

(e) A manufacturer shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

(f) A manufacturer shall not permit any person to consume medical cannabis on the property of the manufacturer.

(g) A manufacturer is subject to reasonable inspection by the commissioner.

(h) For purposes of sections 152.22 to 152.37, a medical cannabis manufacturer is not subject to the Board of Pharmacy licensure or regulatory requirements under chapter 151.

(i) A medical cannabis manufacturer may not employ any person who is under 21 years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabis manufacturer must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the Bureau of Criminal Apprehension before an employee may begin working with the manufacturer. The bureau must conduct a Minnesota criminal history records check and the superintendent is authorized to exchange the fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history record information. The bureau shall return the results of the Minnesota and federal criminal history records checks to the commissioner.

(j) A manufacturer may not operate in any location, whether for distribution or cultivation, harvesting, manufacturing, packaging, or processing, within 1,000 feet of a public or private school existing before the date of the manufacturer's registration with the commissioner.

(k) A manufacturer shall comply with reasonable restrictions set by the commissioner relating to signage, marketing, display, and advertising of medical cannabis.

Sec. 4. Minnesota Statutes 2014, section 152.37, subdivision 2, is amended to read:

Subd. 2. **Certified annual audit.** A medical cannabis manufacturer shall submit the results of an annual certified financial audit to the commissioner no later than May 1 of each year for the calendar year beginning January 2015. The annual audit shall be conducted by an independent certified public accountant and the costs of the audit are the responsibility of the medical cannabis manufacturer. Results of the audit shall be provided to the medical cannabis manufacturer and the commissioner. The commissioner may also require another audit of the medical cannabis manufacturer by a certified public accountant chosen by the commissioner with the costs of the audit paid by the medical cannabis manufacturer.

Sec. 5. Laws 2014, chapter 311, section 20, is amended to read:

Sec. 20. **INTRACTABLE PAIN.**

The commissioner of health shall consider the addition of intractable pain, as defined in Minnesota Statutes, section 152.125, subdivision 1, to the list of qualifying medical conditions under Minnesota Statutes, section 152.22, subdivision 14, prior to the consideration of any other new qualifying medical conditions. The commissioner shall report findings on the need for adding intractable pain to the list of qualifying medical conditions to the task force established under Minnesota Statutes, section 152.36, no later than ~~July~~ January 1, 2016."

Correct the title numbers accordingly

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. 1535, A bill for an act relating to human services; providing for human services policy modifications relating to children and family services, chemical and mental health services, direct care and treatment, operations, health care, and continuing care; making changes to child care assistance programs, home and community-based services standards, medical assistance, the alternative care program, Northstar Care for Children, children's therapeutic services and supports, human services licensing provisions, and the community first services and supports program; modifying requirements for background studies; extending a council; modifying the Minnesota Indian Family Preservation Act; making changes to provisions governing child out-of-home placement; modifying reporting requirements for maltreatment of children and vulnerable adults; making technical changes; requiring reports; modifying requirements for administrative sanctions and hearings; authorizing rulemaking; providing criminal penalties; amending Minnesota Statutes 2014, sections 119B.011, subdivision 16; 119B.025, subdivision 1; 119B.09, subdivision 9; 119B.125, subdivisions 1, 6, by adding subdivisions; 144.0724, subdivision 12; 148E.065, subdivision 4a; 168.012, subdivision 1; 245.462, subdivision 4; 245A.02, subdivision 13, by adding subdivisions; 245A.035, subdivisions 1, 5; 245A.04, subdivision 15a; 245A.07, subdivisions 2, 2a; 245A.11, subdivision 4; 245A.12; 245A.13; 245A.148; 245A.16, subdivision 1; 245A.175; 245A.1915; 245A.192, subdivisions 3, 5, 10, 11, by adding subdivisions; 245A.40, subdivisions 3, 4, 5; 245C.02, subdivision 2; 245C.04, subdivisions 4, 5, 6; 245C.05, subdivision 1; 245C.07; 245C.10, by adding a subdivision; 245C.20, subdivision 2, by adding a subdivision; 245C.22, subdivision 7; 245D.10, subdivision 3, by adding a subdivision; 245E.01, subdivision 8, by adding a subdivision; 245E.02, subdivisions 1, 4, by adding a subdivision; 245E.06, subdivisions 2, 3; 253B.212, subdivision 2, by adding a subdivision; 254B.05, subdivision 5; 256.01, subdivisions 4, 14b; 256.045, subdivisions 3, 6; 256.046, subdivision 1; 256.975, subdivision 7; 256B.0625, subdivision 31, by adding a subdivision; 256B.0911, subdivisions 1a, 2b, 3, 3a; 256B.0913, subdivisions 4, 5, 5a, 6, 10, 11, 12, by adding a subdivision; 256B.0943, subdivisions 1, 2, 3, 4, 5, 6, 9, 11; 256B.0946, subdivision 1; 256B.0947, subdivision 7a; 256B.85; 256N.02, subdivision 18; 256N.23, subdivision 6; 257.85, subdivision 3; 259A.01, subdivision 25; 259A.10, subdivision 6; 260.755, subdivisions 8, 14, by adding subdivisions; 260.761, subdivisions 1, 2; 260.771, subdivision 3; 260B.007, subdivision 12; 260C.007, subdivision 27, by adding a subdivision; 260C.168; 260C.178, subdivision 1; 260C.201, subdivision 5; 260C.212, subdivisions 1, 2; 260C.511; 268.155, subdivision 1; 402A.12; 402A.16, subdivisions 2, 4; 402A.18; 471.346; 609.821; 626.556, subdivisions 10, 11d; 626.557, subdivisions 9a, 9b, 10; 626.5572, subdivisions 5, 6, 21; Laws 2013, chapter 108, article 7, section 58; proposing coding for new law in Minnesota Statutes, chapters 245; 245A; 256; 256B; 260; 609; repealing Minnesota Statutes 2014, sections 245D.061, subdivision 3; 245E.07, subdivision 3; 256B.0911, subdivision 6a; Minnesota Rules, parts 9505.0175, subpart 32; 9505.0365, subpart 2; 9505.1696, subpart 10; 9505.1709; 9535.2000; 9535.2100; 9535.2200; 9535.2300; 9535.2400; 9535.2500; 9535.2600; 9535.2700; 9535.2800; 9535.2900; 9535.3000; 9555.7400; 9555.7500.

Reported the same back with the following amendments:

Page 6, line 22, after "reconsideration" insert ", administrative appeal,"

Page 40, strike line 21

Page 40, lines 22 and 23, delete the new language and strike the old language

Page 40, after line 23, insert:

"(i) provides on-site child care during the hours of treatment activity that:

(A) is licensed under chapter 245A as a child care center under Minnesota Rules, chapter 9503; or

(B) meets the licensure exclusion criteria of section 245A.03, subdivision 2, paragraph (a), clause (6), and meets the requirements under Minnesota Rules, part 9530.6490, subpart 4; or"

Page 43, line 21, after the period, insert "The individual behavioral plan may be incorporated into the child's individual treatment plan so long as the behavioral plan is separately communicable to the mental health behavioral aide."

Page 49, line 18, after "When" insert "required components of the diagnostic assessment, such as baseline measures, are not provided in an outside or independent assessment or when"

Page 49, line 19, delete "baselines" and insert "the missing information"

Page 51, line 30, after "explain" insert "or demonstrate"

Page 63, line 18, delete everything after "least" and insert "once every calendar week, for the purposes of chemical dependency treatment programs licensed under Minnesota Rules, parts 9530.6405 to 9530.6505."

Page 63, line 21, delete everything after "least" and insert "once every calendar month, for the purposes of chemical dependency treatment programs licensed under Minnesota Rules, parts 9430.6405 to 9530.6505."

Page 63, line 24, delete everything after "90" and insert "calendar days, for the purposes of chemical dependency treatment programs licensed under Minnesota Rules, parts 9530.6405 to 9530.6505."

Page 76, delete section 19 and insert:

"Sec. 19. Minnesota Statutes 2014, section 245A.175, is amended to read:

245A.175 MENTAL HEALTH TRAINING REQUIREMENT.

Prior to a nonemergency placement of a child in a foster care home, the child foster care ~~provider, licensed after July 1, 2007,~~ license holder and caregivers in foster family and treatment foster care settings, and all staff providing care in foster residence settings must complete two hours of training that addresses the causes, symptoms, and key warning signs of mental health disorders; cultural considerations; and effective approaches for dealing with a child's behaviors. At least one hour of the annual ~~12-hour~~ training requirement for the foster parents family license holder and caregivers, and foster residence staff must be on children's mental health issues and treatment. Short-term substitute caregivers are exempt from these requirements. Training curriculum shall be approved by the commissioner of human services."

Page 96, delete section 49 and insert:

"Sec. 49. Minnesota Statutes 2014, section 256.98, subdivision 1, is amended to read:

Subdivision 1. **Wrongfully obtaining assistance.** A person who commits any of the following acts or omissions with intent to defeat the purposes of sections 145.891 to 145.897, the MFIP program formerly codified in sections 256.031 to 256.0361, the AFDC program formerly codified in sections 256.72 to 256.871, chapters 256B, 256D, 256J, 256K, or 256L, ~~and~~ child care assistance programs, and emergency assistance programs under section 256D.06, is guilty of theft and shall be sentenced under section 609.52, subdivision 3, clauses (1) to (5):

(1) obtains or attempts to obtain, or aids or abets any person to obtain by means of a willfully false statement or representation, by intentional concealment of any material fact, or by impersonation or other fraudulent device, assistance or the continued receipt of assistance, to include child care assistance or vouchers produced according to sections 145.891 to 145.897 and MinnesotaCare services according to sections 256.9365, 256.94, and 256L.01 to 256L.15, to which the person is not entitled or assistance greater than that to which the person is entitled;

(2) knowingly aids or abets in buying or in any way disposing of the property of a recipient or applicant of assistance without the consent of the county agency; or

(3) obtains or attempts to obtain, alone or in collusion with others, the receipt of payments to which the individual is not entitled as a provider of subsidized child care, or by furnishing or concurring in a willfully false claim for child care assistance.

The continued receipt of assistance to which the person is not entitled or greater than that to which the person is entitled as a result of any of the acts, failure to act, or concealment described in this subdivision shall be deemed to be continuing offenses from the date that the first act or failure to act occurred."

Page 109, after line 2, insert:

"Section 1. Minnesota Statutes 2014, section 62J.495, subdivision 1, is amended to read:

Subdivision 1. **Implementation.** By January 1, 2015, all hospitals and health care providers must have in place an interoperable electronic health records system within their hospital system or clinical practice setting. The commissioner of health, in consultation with the e-Health Advisory Committee, shall develop a statewide plan to meet this goal, including uniform standards to be used for the interoperable system for sharing and synchronizing patient data across systems. The standards must be compatible with federal efforts. The uniform standards must be developed by January 1, 2009, and updated on an ongoing basis. The commissioner shall include an update on standards development as part of an annual report to the legislature. A health care provider in private practice with no more than six additional health care providers is exempt from the requirements of this section.

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

Page 115, after line 27, insert:

"Sec. 5. Minnesota Statutes 2014, section 256.01, subdivision 4, is amended to read:

Subd. 4. **Duties as state agency.** (a) The state agency shall:

(1) supervise the administration of assistance to dependent children under Laws 1937, chapter 438, by the county agencies in an integrated program with other service for dependent children maintained under the direction of the state agency;

(2) establish adequate standards for personnel employed by the counties and the state agency in the administration of Laws 1937, chapter 438, and make the necessary rules to maintain such standards;

(3) prescribe the form of and print and supply to the county agencies blanks for applications, reports, affidavits, and such other forms as it may deem necessary and advisable;

(4) cooperate with the federal government and its public welfare agencies in any reasonable manner as may be necessary to qualify for federal aid for temporary assistance for needy families and in conformity with title I of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and successor amendments, including the making of such reports and such forms and containing such information as the Federal Social Security Board may from time to time require, and comply with such provisions as such board may from time to time find necessary to assure the correctness and verification of such reports;

(5) on or before October 1 in each even-numbered year make a biennial report to the governor concerning the activities of the agency;

(6) enter into agreements with other departments of the state as necessary to meet all requirements of the federal government; ~~and~~

(7) cooperate with the commissioner of education to enforce the requirements for program integrity and fraud prevention for investigation for child care assistance under chapter 119B-; and

(8) require that the county or tribal case manager for any person who is notified that their services will be terminated under section 245D.10, subdivision 3a, from residential supports and services as defined in section 245D.03, subdivision 1, paragraph (c), clause (3), develops an action plan within five business days of being notified of the termination; proceeds to promptly work with the support team to resolve the issues which led to the termination; and if resolution appears unlikely, assist, if necessary, to locate or arrange for alternative services as expeditiously as possible within the 60-day notice period.

(b) The state agency may:

(1) subpoena witnesses and administer oaths, make rules, and take such action as may be necessary or desirable for carrying out the provisions of Laws 1937, chapter 438. All rules made by the state agency shall be binding on the counties and shall be complied with by the respective county agencies;

(2) cooperate with other state agencies in establishing reciprocal agreements in instances where a child receiving Minnesota family investment program assistance moves or contemplates moving into or out of the state, in order that the child may continue to receive supervised aid from the state moved from until the child has resided for one year in the state moved to; and

(3) administer oaths and affirmations, take depositions, certify to official acts, and issue subpoenas to compel the attendance of individuals and the production of documents and other personal property necessary in connection with the administration of programs administered by the Department of Human Services.

(c) The fees for service of a subpoena in paragraph (b), clause (3), must be paid in the same manner as prescribed by law for a service of process issued by a district court. Witnesses must receive the same fees and mileage as in civil actions.

(d) The subpoena in paragraph (b), clause (3), shall be enforceable through the district court in the district where the subpoena is issued."

Page 117, line 33, delete "county" and insert "case management provider"

Page 117, line 34, delete "agency"

Page 119, line 5, delete "county agency" and insert "case management provider"

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1538, A bill for an act relating to administrative rules; modifying requirements of a retired workers' compensation judges provision; amending Minnesota Statutes 2014, section 14.49.

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. 1539, A bill for an act relating to human services; modifying human services data and background study provisions; amending Minnesota Statutes 2014, sections 13.46, subdivisions 1, 3; 13.461, subdivision 28; 13.4967, by adding a subdivision; 13.69, subdivision 1; 119B.02, subdivision 6; 245C.05, subdivisions 2c, 5; 245C.08, subdivision 2; 256.01, subdivisions 18d, 18e; 256B.04, by adding a subdivision; 626.557, subdivision 12b.

Reported the same back with the following amendments:

Page 2, after line 17, insert:

"Sec. 2. Minnesota Statutes 2014, section 13.46, is amended by adding a subdivision to read:

Subd. 2a. **Access to welfare system data; audit trail.** (a) Only individuals with explicit authorization from the responsible authority may enter, update, or access not public data that is collected, maintained, or used by the welfare system. The ability of authorized individuals to enter, update, or access these data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual, and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, or shared or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law.

(b) The authorization of any individual determined to have willfully entered, updated, accessed, shared, or disseminated data in violation of this section, or any other provision of law, must be immediately and permanently revoked. If an individual is determined to have willfully gained access to data without explicit authorization, the responsible authority must forward the matter to the county attorney for prosecution.

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

Page 8, after line 15, insert:

"Sec. 10. Minnesota Statutes 2014, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. **Background studies conducted by Department of Human Services.** (a) For a background study conducted by the Department of Human Services, the commissioner shall review:

(1) information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (j);

(2) the commissioner's records relating to the maltreatment of minors in licensed programs, and from findings of maltreatment of minors as indicated through the social service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listed in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information regarding a background study subject's registration in Minnesota as a predatory offender under section 243.166;

(5) except as provided in clause (6), information from the national crime information system when the commissioner has reasonable cause as defined under section 245C.05, subdivision 5; and

(6) for a background study related to a child foster care application for licensure, a transfer of permanent legal and physical custody of a child under sections 260C.503 to 260C.515, or adoptions, the commissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which the background study subject has resided for the past five years; and

(ii) information from national crime information databases, when the background study subject is 18 years of age or older.

(b) Notwithstanding expungement by a court, the commissioner may consider information obtained under paragraph (a), clauses (3) and (4), unless the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner.

(c) The commissioner shall also review criminal case information received according to section 245C.04, subdivision 4a, from the Minnesota court information system that relates to individuals who have already been studied under this chapter and who remain affiliated with the agency that initiated the background study.

(d) When the commissioner receives information as described in paragraph (c), the commissioner shall also request updated information from the Bureau of Criminal Apprehension in order to determine whether there has been a change in the subject's multistate offender status.

~~(d)~~ (e) When the commissioner has reasonable cause to believe that the identity of a background study subject is uncertain, the commissioner may require the subject to provide a set of classifiable fingerprints for purposes of completing a fingerprint-based record check with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph shall not be saved by the commissioner after they have been used to verify the identity of the background study subject against the particular criminal record in question."

Page 10, line 18, delete the comma and insert ":(1)"

Page 10, line 22, delete the period and insert "; and (2) the Department of Human Services, through the medical assistance application process, must notify all applicants of the data that the commissioner of human services may obtain from the Department of Revenue that may be used to verify income and program eligibility and that, through completion of the application, the applicant is giving consent for this data to be shared."

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on 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. 1541, A bill for an act relating to local government; extending the time period to file certificate of approval of a special law for the Cedar Lake area water and sanitary sewer district.

Reported the same back with the following amendments:

Page 1, line 10, delete everything after the second comma

Page 1, line 11, delete everything before "by"

Page 1, line 13, delete "January 6," and insert "May 21,"

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. 1568, A bill for an act relating to human services; modifying provisions related to individuals who are committed as mentally ill and dangerous to the public; imposing duties on special review board and the head of the treatment facility; amending Minnesota Statutes 2014, section 253B.18, subdivisions 4c, 5.

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

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1605, A bill for an act relating to capital investment; appropriating money for capital improvements and betterments at Minnesota State Colleges and Universities facilities statewide; authorizing the sale and issuance of state bonds.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **CAPITAL IMPROVEMENT APPROPRIATIONS.**

The sums shown in the column under "Appropriations" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent for public purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j), or article XIV. Unless otherwise specified, money appropriated in this act for a capital program or project may be used to pay state agency staff costs that are attributed directly to the capital program or project in accordance with accounting policies adopted by the commissioner of management and budget. Unless otherwise specified, the appropriations in this act are available until the project is completed or abandoned subject to Minnesota Statutes, section 16A.642. Unless otherwise specified in this act, money appropriated in this act for activities under Minnesota Statutes, sections 16B.307, 84.946, and 135A.046, should not be used for projects that can be financed within a reasonable time frame under Minnesota Statutes, section 16B.322 or 16C.144.

APPROPRIATIONS

Sec. 2. **UNIVERSITY OF MINNESOTA**

Subdivision 1. **Total Appropriation**

\$77,000,000

To the Board of Regents of the University of Minnesota for the purposes specified in this section.

Subd. 2. **Higher Education Asset Preservation and Replacement (HEAPR)**

55,000,000

To be spent in accordance with Minnesota Statutes, section 135A.046.

Subd. 3. **St. Paul; Veterinary Isolation Laboratories Renovation**

18,000,000

To demolish two obsolete veterinary isolation laboratories and predesign, design, construct, furnish, and equip a veterinary biocontainment facility on the St. Paul campus, including large and small animal holding spaces.

Subd. 4. St. Paul; Greenhouse Replacement4,000,000

To demolish the existing facility and predesign, design, construct, furnish, and equip a greenhouse with four specialized biome rooms and two flexible project rooms to support learning and research on the St. Paul campus.

Subd. 5. University Share

Except for the appropriation for HEAPR, the appropriations in this section are intended to cover approximately two-thirds of the cost of each project. The remaining costs must be paid from university sources.

Subd. 6. Unspent Appropriations

Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, the Board of Regents must use any money remaining in the appropriation for that project for HEAPR under Minnesota Statutes, section 135A.046. The Board of Regents must report by February 1 of each even-numbered year to the chairs of the house of representatives and senate committees with jurisdiction over capital investment and higher education finance, and to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee, on how the remaining money has been allocated or spent.

Sec. 3. MINNESOTA STATE COLLEGES AND UNIVERSITIES**Subdivision 1. Total Appropriation**\$198,454,000

To the Board of Trustees of the Minnesota State Colleges and Universities for the purposes specified in this section.

Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR)72,500,000

To be spent in accordance with Minnesota Statutes, section 135A.046.

Subd. 3. Anoka Technical College2,114,000

To design, renovate, furnish, and equip the automotive and manufacturing technology training spaces.

Subd. 4. Bemidji State University18,100,000

To complete design and construct, furnish, and equip the replacement of Hagg Sauer Hall.

<u>Subd. 5. Century College, White Bear Lake</u>	<u>1,325,000</u>
<u>To design, renovate, furnish, and equip existing tiered classrooms to create more flexible and efficient space.</u>	
<u>Subd. 6. Dakota County Technical College</u>	<u>7,733,000</u>
<u>To complete design, renovate, furnish, and equip classroom and lab space for transportation and emerging technologies programs.</u>	
<u>Subd. 7. Minnesota West Community and Technical College; Canby and Jackson Campuses</u>	<u>3,267,000</u>
<u>(a) To design and install a geothermal HVAC system, and remove and replace associated mechanical systems, on the Canby campus.</u>	
<u>(b) To design and consolidate the powerline training program spaces by demolishing Building "B" and the current off-campus powerline training space, and construct and equip a new indoor powerline training addition and exterior truck port on the Jackson main campus.</u>	
<u>Subd. 8. Minnesota State Community and Technical College; Fergus Falls and Wadena Campuses</u>	<u>2,373,000</u>
<u>(a) To design the renovation of and to renovate, furnish, and equip existing library space to create a student services center at the Wadena campus.</u>	
<u>(b) To design the renovation of and to renovate, furnish, and equip existing space to create a center for student and workforce success at the Fergus Falls campus.</u>	
<u>Subd. 9. Northeast Higher Education District, Hibbing</u>	<u>10,000,000</u>
<u>To complete the design, remove obsolete and underutilized space, and construct, renovate, furnish, and equip efficient and flexible academic and student service space at the Hibbing campus.</u>	
<u>Subd. 10. Northland Community and Technical College; East Grand Forks</u>	<u>826,000</u>
<u>To design, renovate, furnish, and equip science and radiological technology laboratories on the East Grand Forks campus.</u>	
<u>Subd. 11. Rochester Community and Technical College</u>	<u>11,585,000</u>
<u>To complete the design, remove obsolete and underutilized space, and construct, renovate, furnish, and equip efficient and flexible academic and student service space.</u>	

Subd. 12. St. Paul College18,829,000

To complete the design of and construct, furnish, and equip the Health and Science Alliance Center addition, and to renovate, furnish, and equip existing health and West Tower spaces.

Subd. 13. St. Cloud State University18,572,000

To complete design of and to renovate, furnish, and equip Eastman Hall to relocate student health services and academic programs into the renovated Eastman Hall.

Subd. 14. South Central College; North Mankato8,600,000

To design, renovate, renew, furnish, and equip laboratory, classroom, and office space for health care, STEM, computer, and agribusiness programs.

Subd. 15. Winona State University22,630,000

To complete design, renovate, remodel, furnish, and equip Phase 2 of the education village project in Wabasha Hall, Wabasha Recreation Center, and the Cathedral School to create an education village of classrooms, laboratories, offices, and meeting and support spaces enabling the College of Education to integrate with southeastern Minnesota communities and school districts to jointly provide an extraordinary experience for the preparation of teachers and school professionals.

Subd. 16. Debt Service

(a) Except as provided in paragraph (b), the Board of Trustees shall pay the debt service on one-third of the principal amount of state bonds sold to finance projects authorized by this section. After each sale of general obligation bonds, the commissioner of management and budget shall notify the board of the amounts assessed for each year for the life of the bonds.

(b) The board need not pay debt service on bonds sold to finance higher education asset preservation and replacement. Where a nonstate match is required, the debt service is due on a principal amount equal to one-third of the total project cost, less the match committed before the bonds are sold.

(c) The commissioner of management and budget shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of management and budget by December 1 of each year. If the board fails to make a payment when due, the

commissioner of management and budget shall reduce allotments for appropriations from the general fund otherwise available to the board and apply the amount of the reduction to cover the missed debt service payment. The commissioner of management and budget shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

Subd. 17. Unspent Appropriations

(a) Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, the board must use any money remaining in the appropriation for that project for higher education asset preservation and replacement under Minnesota Statutes, section 135A.046. The Board of Trustees must report by February 1 of each even-numbered year to the chairs of the house of representatives and senate committees with jurisdiction over capital investment and higher education finance, and to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee, on how the remaining money has been allocated or spent.

(b) The unspent portion of an appropriation for a project in this section that is complete is available for higher education asset preservation and replacement under this subdivision at the same campus as the project for which the original appropriation was made and the debt service requirement under this subdivision is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 4. BOND SALE EXPENSES

\$.....

To the commissioner of management and budget for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

Sec. 5. BOND SALE.

To provide the money appropriated in this act from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$275,454,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Sec. 6. BOND SALE SCHEDULE.

The commissioner of management and budget shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2017, no more than \$..... will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of management

and budget shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 7. Laws 2012, chapter 293, section 3, subdivision 18, is amended to read:

Subd. 18. **Southwest Minnesota State University, Marshall**

Science Lab Renovation

500,000

(a) To complete design for renovation of the Science and Math building and classroom spaces and an addition to the Plant Science building.

(b) Having abandoned the project specified in paragraph (a), the unspent portion of this appropriation is available for higher education asset preservation and replacement on the campus of Southwest Minnesota State University, Marshall, and the debt service requirement under subdivision 20 is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 8. **MINNEAPOLIS COMMUNITY AND TECHNICAL COLLEGE; SALE OF AVIATION TRAINING CENTER.**

Notwithstanding Minnesota Statutes, section 16A.695, subdivision 3, the net proceeds of the sale or disposition of the Aviation Training Center at the Flying Cloud Airport operated by the Minneapolis Community and Technical College, after paying all expenses incurred in selling the property, are appropriated to the Board of Trustees of the Minnesota State Colleges and Universities for use pursuant to Minnesota Statutes, section 135A.046, at the Minneapolis Community and Technical College campus and the net proceeds need not be paid to the commissioner of management and budget, as would otherwise be required by Minnesota Statutes, section 16A.695, subdivision 3. When the sale is complete and the sale proceeds have been applied as provided in this section, Minnesota Statutes, section 16A.695, no longer applies to the property and the property is no longer state bond financed property.

Sec. 9. **EFFECTIVE DATE.**

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to capital investment; appropriating money for capital improvements and betterments at the University of Minnesota and Minnesota State Colleges and Universities facilities statewide; authorizing the sale and issuance of state bonds; modifying a prior appropriation; authorizing sale of state bond-financed property; amending Laws 2012, chapter 293, section 3, subdivision 18."

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

The report was adopted.

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

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

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

The report was adopted.

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

H. F. No. 1676, A bill for an act relating to education; youth development; establishing an educational partnership fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reported the same back with the following amendments:

Page 3, line 14, before the period, insert "including in-kind contributions"

With the recommendation that when so amended the bill be re-referred to the Committee on Education 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. 1677, A bill for an act relating to human services; providing for human services policy modifications; authorizing the use of unmarked vehicles; modifying requirements for background study expenses; modifying cost of care requirements for persons committed by tribal courts; requiring compliance with the Minnesota Indian Family Preservation Act; requiring documentation of nonemergency medical transportation services; continuing a council; authorizing rulemaking; amending Minnesota Statutes 2014, sections 168.012, subdivision 1; 245C.10, by adding a subdivision; 253B.212, subdivision 2, by adding a subdivision; 256B.0625, by adding a subdivision; 260C.168; 471.346; proposing coding for new law in Minnesota Statutes, chapter 256.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 168.012, subdivision 1, is amended to read:

Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:

(1) vehicles owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision;

(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from those institutions;

(3) vehicles used solely in driver education programs at nonpublic high schools;

(4) vehicles owned by nonprofit charities and used exclusively to transport disabled persons for charitable, religious, or educational purposes;

(5) vehicles owned by nonprofit charities and used exclusively for disaster response and related activities;

(6) vehicles owned by ambulance services licensed under section 144E.10 that are equipped and specifically intended for emergency response or providing ambulance services; and

(7) vehicles owned by a commercial driving school licensed under section 171.34, or an employee of a commercial driving school licensed under section 171.34, and the vehicle is used exclusively for driver education and training.

(b) Provided the general appearance of the vehicle is unmistakable, the following vehicles are not required to register or display number plates:

(1) vehicles owned by the federal government;

(2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the state or a political subdivision;

(3) police patrols owned or leased by the state or a political subdivision; and

(4) ambulances owned or leased by the state or a political subdivision.

(c) Unmarked vehicles used in general police work, liquor investigations, or arson investigations, and passenger automobiles, pickup trucks, and buses owned or operated by the Department of Corrections or by conservation officers of the Division of Enforcement and Field Service of the Department of Natural Resources, must be registered and must display appropriate license number plates, furnished by the registrar at cost. Original and renewal applications for these license plates authorized for use in general police work and for use by the Department of Corrections or by conservation officers must be accompanied by a certification signed by the appropriate chief of police if issued to a police vehicle, the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if issued to a Department of Corrections vehicle, or the appropriate officer in charge if issued to a vehicle of any other law enforcement agency. The certification must be on a form prescribed by the commissioner and state that the vehicle will be used exclusively for a purpose authorized by this section.

(d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry, fraud unit, in conducting seizures or criminal investigations must be registered and must display passenger vehicle classification license number plates, furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of revenue or the commissioner of labor and industry. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the purposes authorized by this section.

(e) Unmarked vehicles used by the Division of Disease Prevention and Control of the Department of Health must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of health. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Division of Disease Prevention and Control.

(f) Unmarked vehicles used by staff of the Gambling Control Board in gambling investigations and reviews must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the board chair. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Gambling Control Board.

(g) Unmarked vehicles used in general investigation, surveillance, supervision, and monitoring by the Department of Human Services' Office of Special Investigations' staff; the Minnesota sex offender program's executive director and the executive director's staff; and the Office of Inspector General's staff, including, but not limited to, county fraud prevention investigators, must be registered and must display passenger vehicle classification license number plates, furnished by the registrar at cost. Original and renewal applications for passenger vehicle license plates must be accompanied by a certification signed by the commissioner of human services. The certification must be on a form prescribed by the commissioner and state that the vehicles must be used exclusively for the official duties of the Office of Special Investigations' staff; the Minnesota sex offender program's executive director and the executive director's staff; and the Office of the Inspector General's staff, including, but not limited to, contract and county fraud prevention investigators.

(h) Each state hospital and institution for persons who are mentally ill and developmentally disabled may have one vehicle without the required identification on the sides of the vehicle. The vehicle must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the hospital administrator. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the state hospital or institution.

(i) Each county social service agency may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle. The vehicles must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the agency administrator. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the social service agency.

(j) Unmarked vehicles used in general investigation, surveillance, supervision, and monitoring by tobacco inspector staff of the Department of Human Services' Alcohol and Drug Abuse Division for the purposes of tobacco inspections, investigations, and reviews must be registered and must display passenger vehicle classification license number plates, furnished at cost by the registrar. Original and renewal applications for passenger vehicle license plates must be accompanied by a certification signed by the commissioner of human services. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively by tobacco inspector staff for the duties specified in this paragraph.

(j) (k) All other motor vehicles must be registered and display tax-exempt number plates, furnished by the registrar at cost, except as provided in subdivision 1c. All vehicles required to display tax-exempt number plates must have the name of the state department or political subdivision, nonpublic high school operating a driver education program, licensed commercial driving school, or other qualifying organization or entity, plainly displayed on both sides of the vehicle. This identification must be in a color giving contrast with that of the part of the vehicle on which it is placed and must endure throughout the term of the registration. The identification must not be on a removable plate or placard and must be kept clean and visible at all times; except that a removable plate or placard may be utilized on vehicles leased or loaned to a political subdivision or to a nonpublic high school driver education program.

Sec. 2. Minnesota Statutes 2014, section 245A.035, subdivision 1, is amended to read:

Subdivision 1. **Emergency placement.** Notwithstanding section 245A.03, subdivision 2a, or 245C.13, subdivision 2, a county agency may place a child with a relative who is not licensed to provide foster care, provided the requirements of this section are met. As used in this section, the term "relative" has the meaning given it under section 260C.007, subdivision 26b or 27.

Sec. 3. Minnesota Statutes 2014, section 245A.035, subdivision 5, is amended to read:

Subd. 5. **Child foster care license application.** (a) The relatives with whom the emergency placement has been made shall complete the child foster care license application and necessary paperwork within ten days of the placement. The county agency shall assist the applicant to complete the application. The granting of a child foster care license to a relative shall be under the procedures in this chapter and according to the standards in Minnesota Rules, chapter 2960. In licensing a relative, the commissioner shall consider the importance of maintaining the child's relationship with relatives as an additional significant factor in determining whether a background study disqualification should be set aside under section 245C.22, or a variance should be granted under section 245C.30.

(b) When the county or private child-placing agency is processing an application for child foster care licensure of a relative as defined in section 260B.007, subdivision 12, or 260C.007, subdivision 26b or 27, the county agency or child-placing agency must explain the licensing process to the prospective licensee, including the background study process and the procedure for reconsideration of an initial disqualification for licensure. The county or private child-placing agency must also provide the prospective relative licensee with information regarding appropriate options for legal representation in the pertinent geographic area. If a relative is initially disqualified under section 245C.14, the commissioner must provide written notice of the reasons for the disqualification and the right to request a reconsideration by the commissioner as required under section 245C.17.

(c) The commissioner shall maintain licensing data so that activities related to applications and licensing actions for relative foster care providers may be distinguished from other child foster care settings.

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

Subd. 1a. **Expenses.** Section 181.645 does not apply to background studies completed under this chapter.

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

Sec. 5. Minnesota Statutes 2014, section 245C.22, subdivision 7, is amended to read:

Subd. 7. **Classification of certain data.** (a) Notwithstanding section 13.46, except as provided in paragraph (f), upon setting aside a disqualification under this section, the identity of the disqualified individual who received the set-aside and the individual's disqualifying characteristics are public data if the set-aside was:

(1) for any disqualifying characteristic under section 245C.15, when the set-aside relates to a child care center or a family child care provider licensed under chapter 245A; or

(2) for a disqualifying characteristic under section 245C.15, subdivision 2.

(b) Notwithstanding section 13.46, upon granting a variance to a license holder under section 245C.30, the identity of the disqualified individual who is the subject of the variance, the individual's disqualifying characteristics under section 245C.15, and the terms of the variance are public data, when the variance:

(1) is issued to a child care center or a family child care provider licensed under chapter 245A; or

(2) relates to an individual with a disqualifying characteristic under section 245C.15, subdivision 2.

(c) The identity of a disqualified individual and the reason for disqualification remain private data when:

(1) a disqualification is not set aside and no variance is granted, except as provided under section 13.46, subdivision 4;

(2) the data are not public under paragraph (a) or (b);

(3) the disqualification is rescinded because the information relied upon to disqualify the individual is incorrect;

(4) the disqualification relates to a license to provide relative child foster care. As used in this clause, "relative" has the meaning given it under section 260C.007, subdivision 26b or 27; or

(5) the disqualified individual is a household member of a licensed foster care provider and:

(i) the disqualified individual previously received foster care services from this licensed foster care provider;

(ii) the disqualified individual was subsequently adopted by this licensed foster care provider; and

(iii) the disqualifying act occurred before the adoption.

(d) Licensed family child care providers and child care centers must provide notices as required under section 245C.301.

(e) Notwithstanding paragraphs (a) and (b), the identity of household members who are the subject of a disqualification related set-aside or variance is not public data if:

(1) the household member resides in the residence where the family child care is provided;

(2) the subject of the set-aside or variance is under the age of 18 years; and

(3) the set-aside or variance only relates to a disqualification under section 245C.15, subdivision 4, for a misdemeanor-level theft crime as defined in section 609.52.

(f) When the commissioner has reason to know that a disqualified individual has received an order for expungement for the disqualifying record that does not limit the commissioner's access to the record, and the record was opened or exchanged with the commissioner for purposes of a background study under this chapter, the data that would otherwise become public under paragraph (a) or (b) remain private data.

Sec. 6. Minnesota Statutes 2014, section 253B.212, is amended by adding a subdivision to read:

Subd. 1b. Cost of care; commitment by tribal court order; any federally recognized Indian tribe within the state of Minnesota. The commissioner of human services may contract with and receive payment from the Indian Health Service of the United States Department of Health and Human Services for the care and treatment of those members of any federally recognized Indian tribe within the state, who have been committed by tribal court order to the Indian Health Service for care and treatment of mental illness, developmental disability, or chemical dependency. The tribe may also contract directly with the commissioner for treatment of those members of any federally recognized Indian tribe within the state who have been committed by tribal court order to the respective tribal Department of Health for care and treatment of mental illness, developmental disability, or chemical

dependency. The contract shall provide that the Indian Health Service and any federally recognized Indian tribe within the state shall not transfer any person for admission to a regional center unless the commitment procedure utilized by the tribal court provided due process protections similar to those afforded by sections 253B.05 to 253B.10.

Sec. 7. Minnesota Statutes 2014, section 253B.212, subdivision 2, is amended to read:

Subd. 2. **Effect given to tribal commitment order.** When, under an agreement entered into pursuant to subdivisions 1 ~~or~~, 1a, or 1b, the Indian Health Service or the placing tribe applies to a regional center for admission of a person committed to the jurisdiction of the health service by the tribal court as a person who is mentally ill, developmentally disabled, or chemically dependent, the commissioner may treat the patient with the consent of the Indian Health Service or the placing tribe.

A person admitted to a regional center pursuant to this section has all the rights accorded by section 253B.03. In addition, treatment reports, prepared in accordance with the requirements of section 253B.12, subdivision 1, shall be filed with the Indian Health Service or the placing tribe within 60 days of commencement of the patient's stay at the facility. A subsequent treatment report shall be filed with the Indian Health Service or the placing tribe within six months of the patient's admission to the facility or prior to discharge, whichever comes first. Provisional discharge or transfer of the patient may be authorized by the head of the treatment facility only with the consent of the Indian Health Service or the placing tribe. Discharge from the facility to the Indian Health Service or the placing tribe may be authorized by the head of the treatment facility after notice to and consultation with the Indian Health Service or the placing tribe.

Sec. 8. **[256.041] CULTURAL AND ETHNIC COMMUNITIES LEADERSHIP COUNCIL.**

Subdivision 1. **Establishment; purpose.** There is hereby established the Cultural and Ethnic Communities Leadership Council for the Department of Human Services. The purpose of the council is to advise the commissioner of human services on reducing disparities that affect racial and ethnic groups.

Subd. 2. **Members.** (a) The council must consist of:

(1) the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over human services; and

(2) no fewer than 15 and no more than 25 members appointed by and serving at the pleasure of the commissioner of human services, in consultation with county, tribal, cultural, and ethnic communities; diverse program participants; and parent representatives from these communities.

(b) In making appointments under this section, the commissioner shall give priority consideration to public members of the legislative councils of color established under chapter 3.

(c) Members must be appointed to allow for representation of the following groups:

(1) racial and ethnic minority groups;

(2) the American Indian community, which must be represented by two members;

(3) culturally and linguistically specific advocacy groups and service providers;

(4) human services program participants;

(5) public and private institutions;

(6) parents of human services program participants;

(7) members of the faith community;

(8) Department of Human Services employees; and

(9) any other group the commissioner deems appropriate to facilitate the goals and duties of the council.

Subd. 3. **Guidelines.** The commissioner shall direct the development of guidelines defining the membership of the council; setting out definitions; and developing duties of the commissioner, the council, and council members regarding racial and ethnic disparities reduction. The guidelines must be developed in consultation with:

(1) the chairs of relevant committees; and

(2) county, tribal, and cultural communities and program participants from these communities.

Subd. 4. **Chair.** The commissioner shall appoint a chair.

Subd. 5. **Terms for first appointees.** The initial members appointed shall serve until January 15, 2016.

Subd. 6. **Terms.** A term shall be for two years and appointees may be reappointed to serve two additional terms. The commissioner shall make appointments to replace members vacating their positions by January 15 of each year.

Subd. 7. **Duties of commissioner.** (a) The commissioner of human services or the commissioner's designee shall:

(1) maintain the council established in this section;

(2) supervise and coordinate policies for persons from racial, ethnic, cultural, linguistic, and tribal communities who experience disparities in access and outcomes;

(3) identify human services rules or statutes affecting persons from racial, ethnic, cultural, linguistic, and tribal communities that may need to be revised;

(4) investigate and implement cost-effective models of service delivery such as careful adaptation of clinically proven services that constitute one strategy for increasing the number of culturally relevant services available to currently underserved populations; and

(5) based on recommendations of the council, review identified department policies that maintain racial, ethnic, cultural, linguistic, and tribal disparities, and make adjustments to ensure those disparities are not perpetuated.

(b) The commissioner of human services or the commissioner's designee shall consult with the council and receive recommendations from the council when meeting the requirements in this subdivision.

Subd. 8. **Duties of council.** The council shall:

(1) recommend to the commissioner for review identified policies in the Department of Human Services that maintain racial, ethnic, cultural, linguistic, and tribal disparities;

- (2) identify issues regarding disparities by engaging diverse populations in human services programs;
- (3) engage in mutual learning essential for achieving human services parity and optimal wellness for service recipients;
- (4) raise awareness about human services disparities to the legislature and media;
- (5) provide technical assistance and consultation support to counties, private nonprofit agencies, and other service providers to build their capacity to provide equitable human services for persons from racial, ethnic, cultural, linguistic, and tribal communities who experience disparities in access and outcomes;
- (6) provide technical assistance to promote statewide development of culturally and linguistically appropriate, accessible, and cost-effective human services and related policies;
- (7) provide training and outreach to facilitate access to culturally and linguistically appropriate, accessible, and cost-effective human services to prevent disparities;
- (8) facilitate culturally appropriate and culturally sensitive admissions, continued services, discharges, and utilization review for human services agencies and institutions;
- (9) form work groups to help carry out the duties of the council that include, but are not limited to, persons who provide and receive services and representatives of advocacy groups, and provide the work groups with clear guidelines, standardized parameters, and tasks for the work groups to accomplish;
- (10) promote information sharing in the human services community and statewide; and
- (11) by February 15 each year, prepare and submit to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over human services a report that summarizes the activities of the council, identifies the major problems and issues confronting racial and ethnic groups in accessing human services, makes recommendations to address issues, and lists the specific objectives that the council seeks to attain during the next biennium. The report must also include a list of programs, groups, and grants used to reduce disparities, and statistically valid reports of outcomes on the reduction of the disparities.

Subd. 9. **Duties of council members.** The members of the council shall:

- (1) attend and participate in scheduled meetings and be prepared by reviewing meeting notes;
- (2) maintain open communication channels with respective constituencies;
- (3) identify and communicate issues and risks that could impact the timely completion of tasks;
- (4) collaborate on disparity reduction efforts;
- (5) communicate updates of the council's work progress and status on the Department of Human Services Web site; and
- (6) participate in any activities the council or chair deems appropriate and necessary to facilitate the goals and duties of the council.

Subd. 10. **Expiration.** The council expires on June 30, 2020.

EFFECTIVE DATE. This section is effective retroactively from March 15, 2015.

Sec. 9. Minnesota Statutes 2014, section 256B.0625, is amended by adding a subdivision to read:

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

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

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

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

(3) each entry in the record must document:

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

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

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

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

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

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

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

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

(ix) whether the recipient is ambulatory or nonambulatory until the modes under section 256B.0625, subdivision 17, are implemented;

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

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

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

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

Sec. 10. Minnesota Statutes 2014, section 256N.02, subdivision 18, is amended to read:

Subd. 18. **Relative.** "Relative," as described in section 260C.007, subdivision 27, means a person related to the child by blood, marriage, or adoption, or an individual who is an important friend with whom the child has resided or had significant contact. For an Indian child, relative, as described in section 260C.007, subdivision 26b, includes ~~members a person who is a member~~ of the Indian child's extended family as defined by the law or custom of the Indian child's tribe or, in the absence of law or custom, nieces, nephews, or first or second cousins, as provided in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903.

Sec. 11. Minnesota Statutes 2014, section 256N.23, subdivision 6, is amended to read:

Subd. 6. **Exclusions.** The commissioner must not enter into an adoption assistance agreement with the following individuals:

(1) a child's biological parent or stepparent;

(2) a child's relative under section 260C.007, subdivision 26b or 27, with whom the child resided immediately prior to child welfare involvement unless:

(i) the child was in the custody of a Minnesota county or tribal agency pursuant to an order under chapter 260C or equivalent provisions of tribal code and the agency had placement and care responsibility for permanency planning for the child; and

(ii) the child is under guardianship of the commissioner of human services according to the requirements of section 260C.325, subdivision 1 or 3, or is a ward of a Minnesota tribal court after termination of parental rights, suspension of parental rights, or a finding by the tribal court that the child cannot safely return to the care of the parent;

(3) an individual adopting a child who is the subject of a direct adoptive placement under section 259.47 or the equivalent in tribal code;

(4) a child's legal custodian or guardian who is now adopting the child; or

(5) an individual who is adopting a child who is not a citizen or resident of the United States and was either adopted in another country or brought to the United States for the purposes of adoption.

Sec. 12. Minnesota Statutes 2014, section 257.85, subdivision 3, is amended to read:

Subd. 3. **Definitions.** For purposes of this section, the terms defined in this subdivision have the meanings given them.

(a) "MFIP standard" means the transitional standard used to calculate assistance under the MFIP program, or, if permanent legal and physical custody of the child is given to a relative custodian residing outside of Minnesota, the analogous transitional standard or standard of need used to calculate assistance under the TANF program of the state where the relative custodian lives.

(b) "Local agency" means the county social services agency or tribal social services agency with legal custody of a child prior to the transfer of permanent legal and physical custody.

(c) "Permanent legal and physical custody" means permanent legal and physical custody ordered by a Minnesota Juvenile Court under section 260C.515, subdivision 4.

(d) "Relative" has the meaning given in section 260C.007, subdivision 26b or 27.

(e) "Relative custodian" means a person who has permanent legal and physical custody of a child. When siblings, including half-siblings and stepsiblings, are placed together in permanent legal and physical custody, the person receiving permanent legal and physical custody of the siblings is considered a relative custodian of all of the siblings for purposes of this section.

(f) "Relative custody assistance agreement" means an agreement entered into between a local agency and a person who has been or will be awarded permanent legal and physical custody of a child.

(g) "Relative custody assistance payment" means a monthly cash grant made to a relative custodian pursuant to a relative custody assistance agreement and in an amount calculated under subdivision 7.

(h) "Remains in the physical custody of the relative custodian" means that the relative custodian is providing day-to-day care for the child and that the child lives with the relative custodian; absence from the relative custodian's home for a period of more than 120 days raises a presumption that the child no longer remains in the physical custody of the relative custodian.

Sec. 13. Minnesota Statutes 2014, section 259A.01, subdivision 25, is amended to read:

Subd. 25. **Relative.** "Relative" means a person related to the child by blood, marriage, or adoption, or an individual who is an important friend with whom the child has resided or had significant contact. For an Indian child, relative includes ~~members~~ a person who is a member of the Indian child's extended family as defined by law or custom of the Indian child's tribe, or, in the absence of law or custom, shall be a person who has reached the age of 18 and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother in law or sister in law, niece or nephew, first or second cousin, or stepparent, as provided in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903.

Sec. 14. Minnesota Statutes 2014, section 259A.10, subdivision 6, is amended to read:

Subd. 6. **Exclusions.** The commissioner shall not enter into an adoption assistance agreement with:

(1) a child's biological parent or stepparent;

(2) a child's relative, according to section 260C.007, subdivision 26b or 27, with whom the child resided immediately prior to child welfare involvement unless:

(i) the child was in the custody of a Minnesota county or tribal agency pursuant to an order under chapter 260C or equivalent provisions of tribal code and the agency had placement and care responsibility for permanency planning for the child; and

(ii) the child is under guardianship of the commissioner of human services according to the requirements of section 260C.325, subdivision 1, paragraphs (a) and (b), or subdivision 3, paragraphs (a) and (b), or is a ward of a Minnesota tribal court after termination of parental rights, suspension of parental rights, or a finding by the tribal court that the child cannot safely return to the care of the parent;

(3) a child's legal custodian or guardian who is now adopting the child;

(4) an individual adopting a child who is the subject of a direct adoptive placement under section 259.47 or the equivalent in tribal code; or

(5) an individual who is adopting a child who is not a citizen or resident of the United States and was either adopted in another country or brought to this country for the purposes of adoption.

Sec. 15. **[260.753] PURPOSES.**

The purposes of this act are to:

(1) protect the long-term interests, as defined by the tribes, of Indian children, their families as defined by law or custom, and the child's tribe; and

(2) preserve the Indian family and tribal identity, including an understanding that Indian children are damaged if family and child tribal identity and contact are denied. Indian children are the future of the tribes and are vital to their very existence.

Sec. 16. Minnesota Statutes 2014, section 260.755, is amended by adding a subdivision to read:

Subd. 1a. **Active efforts.** "Active efforts" means a rigorous and concerted level of effort that is ongoing throughout the involvement of the local social services agency to continuously involve the Indian child's tribe and that uses the prevailing social and cultural values, conditions, and way of life of the Indian child's tribe to preserve the Indian child's family and prevent placement of an Indian child and, if placement occurs, to return the Indian child to the child's family at the earliest possible time. Active efforts sets a higher standard than reasonable efforts to preserve the family, prevent breakup of the family, and reunify the family, according to section 260.762. Active efforts includes reasonable efforts as required by Title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 679c.

Sec. 17. Minnesota Statutes 2014, section 260.755, is amended by adding a subdivision to read:

Subd. 2a. **Best interests of an Indian child.** "Best interests of an Indian child" means compliance with the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act to preserve and maintain an Indian child's family. The best interests of an Indian child support the child's sense of belonging to family, extended family, and tribe. The best interests of an Indian child are interwoven with the best interests of the Indian child's tribe.

Sec. 18. Minnesota Statutes 2014, section 260.755, subdivision 8, is amended to read:

Subd. 8. **Indian child.** "Indian child" means an unmarried person who is under age 18 and is:

(1) a member of an Indian tribe; or

(2) eligible for membership in an Indian tribe.

A determination by a tribe that a child is a member of the Indian tribe or is eligible for membership in the Indian tribe is conclusive. For purposes of this chapter and chapters 256N, 260C, and 260D, Indian child also includes an unmarried person who satisfies either clause (1) or (2), is under age 21, and is in foster care pursuant to section 260C.451.

Sec. 19. Minnesota Statutes 2014, section 260.755, subdivision 14, is amended to read:

Subd. 14. **Parent.** "Parent" means the biological parent of an Indian child, or any Indian person who has lawfully adopted an Indian child, including a person who has adopted a child by tribal law or custom. ~~It Parent includes a father as defined by tribal law or custom. Parent does not include an unmarried father whose paternity has not been acknowledged or established. Paternity has been acknowledged when an unmarried father takes any action to hold himself out as the biological father of an Indian child.~~

Sec. 20. Minnesota Statutes 2014, section 260.761, subdivision 1, is amended to read:

Subdivision 1. ~~Determination of Indian child's tribe~~ **Inquiry of tribal lineage.** The local social services agency or private licensed child-placing agency shall ~~determine whether a child brought to its attention for the purposes described in this section is an Indian child and the identity of the Indian child's tribe~~ inquire of the child, the child's parents and custodians, and other appropriate persons whether there is any reason to believe that a child brought to the agency's attention may have lineage to an Indian tribe. This inquiry shall occur at the time the child comes to the attention of the local social services agency.

Sec. 21. Minnesota Statutes 2014, section 260.761, subdivision 2, is amended to read:

Subd. 2. ~~Agency and court notice of potential out-of-home placement to tribes.~~ (a) When a local social services agency or private child-placing agency determines that an Indian child is in a dependent or other condition that could lead to an out-of-home placement and requires the continued involvement of the agency with the child for a period in excess of 30 days, the agency shall send notice of the condition and of the initial steps taken to remedy it to the Indian child's tribal social services agency within seven days of the determination. ~~has information that a family assessment or investigation being conducted may involve an Indian child, the local social services agency shall notify the Indian child's tribe of the family assessment or investigation according to section 626.556, subdivision 10, paragraph (a), clause (5). Initial notice shall be provided by telephone and by e-mail or facsimile. The local social services agency shall request that the tribe or a designated tribal representative participate in evaluating the family circumstances, identifying family and tribal community resources, and developing case plans.~~

(b) When a local social services agency has information that a child receiving services may be an Indian child, the local social services agency shall notify the tribe by telephone and by e-mail or facsimile of the child's full name and date of birth, the full names and dates of birth of the child's biological parents, and, if known, the full names and dates of birth of the child's grandparents and of the child's Indian custodian. This notification must be provided so the tribe can determine if the child is enrolled in the tribe or eligible for membership, and must be provided within seven days. ~~If information regarding the child's grandparents or Indian custodian is not available within the seven-day period, the local social services agency shall continue to request this information and shall notify the tribe when it is received. Notice shall be provided to all tribes to which the child may have any tribal lineage. If the identity or location of the child's parent or Indian custodian and tribe cannot be determined, the local social services agency shall provide the notice required in this paragraph to the United States secretary of the interior.~~

(c) In accordance with sections 260C.151 and 260C.152, when a court has reason to believe that a child placed in emergency protective care is an Indian child, the court administrator or a designee shall, as soon as possible and before a hearing takes place, notify the tribal social services agency by telephone and by e-mail or facsimile of the date, time, and location of the emergency protective case hearing. The court shall make efforts to allow appearances by telephone for tribal representatives, parents, and Indian custodians.

(d) A local social services agency must provide the notices required under this subdivision at the earliest possible time to facilitate involvement of the Indian child's tribe. Nothing in this subdivision is intended to hinder the ability of the local social services agency and the court to respond to an emergency situation. Lack of participation by a tribe shall not prevent the tribe from intervening in services and proceedings at a later date. A tribe may participate

at any time. At this and any subsequent stage of its the local social services agency's involvement with an Indian child, the agency shall, upon request, give provide full cooperation to the tribal social services agency full cooperation, including access to all files disclosure of all data concerning the Indian child. If the files contain confidential or private data, the agency may require execution of an agreement with the tribal social services agency that the tribal social services agency shall maintain the data according to statutory provisions applicable to the data. This subdivision applies whenever the court transfers legal custody of an Indian child under section 260B.198, subdivision 1, clause (3), item (i), (ii), or (iii), following an adjudication for a misdemeanor level delinquent act. Nothing in this subdivision relieves the local social services agency of satisfying the notice requirements in the Indian Child Welfare Act.

Sec. 22. [260.762] DUTY TO PREVENT OUT-OF-HOME PLACEMENT AND PROMOTE FAMILY REUNIFICATION; ACTIVE EFFORTS.

Subdivision 1. **Active efforts.** Active efforts includes acknowledging traditional helping and healing systems of an Indian child's tribe and using these systems as the core to help and heal the Indian child and family.

Subd. 2. **Requirements for local social services agencies.** A local social services agency shall:

(1) work with the Indian child's tribe and family to develop an alternative plan to out-of-home placement;

(2) before making a decision that may affect an Indian child's safety and well-being or when contemplating out-of-home placement of an Indian child, seek guidance from the Indian child's tribe on family structure, how the family can seek help, what family and tribal resources are available, and what barriers the family faces at that time that could threaten its preservation; and

(3) request participation of the Indian child's tribe at the earliest possible time and request the tribe's active participation throughout the case.

Subd. 3. **Required findings that active efforts were provided.** A court shall not order an out-of-home or permanency placement for an Indian child unless the court finds that the local social services agency made active efforts to the Indian child's family. In determining whether the local social services agency made active efforts for purposes of out-of-home placement and permanency, the court shall make findings regarding whether the following activities were appropriate and whether the local social services agency made appropriate and meaningful services available to the family based upon that family's specific needs:

(1) whether the local social services agency made efforts at the earliest point possible to (i) identify whether a child may be an Indian child as defined in the Indian Child Welfare Act, United States Code, title 25, section 1903, and section 260.755, subdivision 8; and (ii) identify and request participation of the Indian child's tribe at the earliest point possible and throughout the investigation or assessment, case planning, provision of services, and case completion;

(2) whether the local social services agency requested that a tribally designated representative with substantial knowledge of prevailing social and cultural standards and child-rearing practices within the tribal community evaluate the circumstances of the Indian child's family and assist in developing a case plan that uses tribal and Indian community resources;

(3) whether the local social services agency provided concrete services and access to both tribal and nontribal services to members of the Indian child's family, including but not limited to financial assistance, food, housing, health care, transportation, in-home services, community support services, and specialized services; and whether these services are being provided in an ongoing manner throughout the agency's involvement with the family, to directly assist the family in accessing and utilizing services to maintain the Indian family, or reunify the Indian family as soon as safety can be assured if out-of-home placement has occurred;

(4) whether the local social services agency notified and consulted with the Indian child's extended family members, as identified by the child, the child's parents, or the tribe; whether extended family members were consulted to provide support to the child and parents, to inform the local social services agency and court as to cultural connections and family structure, to assist in identifying appropriate cultural services and supports for the child and parents, and to identify and serve as a placement and permanency resource for the child; and if there was difficulty contacting or engaging with extended family members, whether assistance was sought from the tribe, the Department of Human Services, or other agencies with expertise in working with Indian families;

(5) whether the local social services agency provided services and resources to relatives who are considered the primary placement option for an Indian child, as agreed by the local social services agency and the tribe, to overcome barriers to providing care to an Indian child. Services and resources shall include but are not limited to child care assistance, financial assistance, housing resources, emergency resources, and foster care licensing assistance and resources; and

(6) whether the local social services agency arranged for visitation to occur, whenever possible, in the home of the Indian child's parent, Indian custodian, or other family member or in another noninstitutional setting, in order to keep the child in close contact with parents, siblings, and other relatives regardless of the child's age and to allow the child and those with whom the child visits to have natural, unsupervised interaction when consistent with protecting the child's safety; and whether the local social services agency consulted with a tribal representative to determine and arrange for visitation in the most natural setting that ensures the child's safety, when the child's safety requires supervised visitation.

Sec. 23. Minnesota Statutes 2014, section 260.771, subdivision 3, is amended to read:

Subd. 3. **Transfer of proceedings.** (a) In a proceeding for: (1) the termination of parental rights; or (2) the involuntary foster care placement of an Indian child not within the jurisdiction of subdivision 1, the court, in the absence of good cause to the contrary, shall transfer the proceeding to the jurisdiction of the tribe absent objection by either parent, upon the petition of either parent ~~or~~ the Indian custodian, or the Indian child's tribe. The transfer is subject to declination by the tribal court of the tribe.

(b) In a proceeding for the preadoptive or adoptive placement of an Indian child not within the jurisdiction of subdivision 1, the court, in the absence of good cause to the contrary, shall transfer the proceeding to the jurisdiction of the tribe. The transfer is subject to declination by the tribal court of the tribe. For the purposes of this subdivision, "preadoptive placement" and "adoptive placement" have the meanings give in section 260.755, subdivision 3.

(c) At any point in a proceeding for finalizing a permanency plan, the court, in the absence of good cause to the contrary and in the absence of an objection by either parent, shall transfer the proceeding to tribal court for the purpose of achieving a customary adoption or other culturally appropriate permanency option. This transfer shall be made upon the petition of a parent whose parental rights have not been terminated, the Indian custodian, or the Indian child's tribe. The transfer is subject to declination by the tribal court of the tribe.

Sec. 24. Minnesota Statutes 2014, section 260B.007, subdivision 12, is amended to read:

Subd. 12. **Relative.** "Relative" means a parent, stepparent, grandparent, brother, sister, uncle, or aunt of the minor. This relationship may be by blood or marriage. For an Indian child, relative ~~includes members~~ means a person who is a member of the ~~extended Indian child's family as defined by the law or custom of the Indian child's tribe or, in the absence of laws or custom, nieces, nephews, or first or second cousins, as provided~~ in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903, paragraphs (2), (6), and (9).

Sec. 25. Minnesota Statutes 2014, section 260C.007, is amended by adding a subdivision to read:

Subd. 26b. **Relative of an Indian child.** "Relative of an Indian child" means a person who is a member of the Indian child's family as defined in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903, paragraphs (2), (6), and (9).

Sec. 26. Minnesota Statutes 2014, section 260C.007, subdivision 27, is amended to read:

Subd. 27. **Relative.** "Relative" means a person related to the child by blood, marriage, or adoption, or an individual who is an important friend with whom the child has resided or had significant contact. ~~For an Indian child, relative includes members of the extended family as defined by the law or custom of the Indian child's tribe or, in the absence of law or custom, nieces, nephews, or first or second cousins, as provided in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903.~~

Sec. 27. Minnesota Statutes 2014, section 260C.168, is amended to read:

260C.168 COMPLIANCE WITH INDIAN CHILD WELFARE ACT AND MINNESOTA INDIAN FAMILY PRESERVATION ACT.

The provisions of this chapter must be construed consistently with the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901 to 1963, and the Minnesota Indian Family Preservation Act, sections 260.751 to 260.835.

Sec. 28. Minnesota Statutes 2014, section 260C.178, subdivision 1, is amended to read:

Subdivision 1. **Hearing and release requirements.** (a) If a child was taken into custody under section 260C.175, subdivision 1, clause (1) or (2), item (ii), the court shall hold a hearing within 72 hours of the time the child was taken into custody, excluding Saturdays, Sundays, and holidays, to determine whether the child should continue in custody.

(b) Unless there is reason to believe that the child would endanger self or others or not return for a court hearing, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of a parent, guardian, custodian, or other suitable person, subject to reasonable conditions of release including, but not limited to, a requirement that the child undergo a chemical use assessment as provided in section 260C.157, subdivision 1.

(c) If the court determines there is reason to believe that the child would endanger self or others or not return for a court hearing, or that the child's health or welfare would be immediately endangered if returned to the care of the parent or guardian who has custody and from whom the child was removed, the court shall order the child into foster care under the legal responsibility of the responsible social services agency or responsible probation or corrections agency for the purposes of protective care as that term is used in the juvenile court rules or into the home of a noncustodial parent and order the noncustodial parent to comply with any conditions the court determines to be appropriate to the safety and care of the child, including cooperating with paternity establishment proceedings in the case of a man who has not been adjudicated the child's father. The court shall not give the responsible social services legal custody and order a trial home visit at any time prior to adjudication and disposition under section 260C.201, subdivision 1, paragraph (a), clause (3), but may order the child returned to the care of the parent or guardian who has custody and from whom the child was removed and order the parent or guardian to comply with any conditions the court determines to be appropriate to meet the safety, health, and welfare of the child.

(d) In determining whether the child's health or welfare would be immediately endangered, the court shall consider whether the child would reside with a perpetrator of domestic child abuse.

(e) The court, before determining whether a child should be placed in or continue in foster care under the protective care of the responsible agency, shall also make a determination, consistent with section 260.012 as to whether reasonable efforts were made to prevent placement or whether reasonable efforts to prevent placement are not required. In the case of an Indian child, the court shall determine whether active efforts, according to section 260.762 and the Indian Child Welfare Act of 1978, United States Code, title 25, section 1912(d), were made to prevent placement. The court shall enter a finding that the responsible social services agency has made reasonable efforts to prevent placement when the agency establishes either:

(1) that it has actually provided services or made efforts in an attempt to prevent the child's removal but that such services or efforts have not proven sufficient to permit the child to safely remain in the home; or

(2) that there are no services or other efforts that could be made at the time of the hearing that could safely permit the child to remain home or to return home. When reasonable efforts to prevent placement are required and there are services or other efforts that could be ordered which would permit the child to safely return home, the court shall order the child returned to the care of the parent or guardian and the services or efforts put in place to ensure the child's safety. When the court makes a prima facie determination that one of the circumstances under paragraph (g) exists, the court shall determine that reasonable efforts to prevent placement and to return the child to the care of the parent or guardian are not required.

If the court finds the social services agency's preventive or reunification efforts have not been reasonable but further preventive or reunification efforts could not permit the child to safely remain at home, the court may nevertheless authorize or continue the removal of the child.

(f) The court may not order or continue the foster care placement of the child unless the court makes explicit, individualized findings that continued custody of the child by the parent or guardian would be contrary to the welfare of the child and that placement is in the best interest of the child.

(g) At the emergency removal hearing, or at any time during the course of the proceeding, and upon notice and request of the county attorney, the court shall determine whether a petition has been filed stating a prima facie case that:

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

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

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

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

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

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

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

(h) When a petition to terminate parental rights is required under section 260C.301, subdivision 4, or 260C.503, subdivision 2, but the county attorney has determined not to proceed with a termination of parental rights petition, and has instead filed a petition to transfer permanent legal and physical custody to a relative under section 260C.507, the court shall schedule a permanency hearing within 30 days of the filing of the petition.

(i) If the county attorney has filed a petition under section 260C.307, the court shall schedule a trial under section 260C.163 within 90 days of the filing of the petition except when the county attorney determines that the criminal case shall proceed to trial first under section 260C.503, subdivision 2, paragraph (c).

(j) If the court determines the child should be ordered into foster care and the child's parent refuses to give information to the responsible social services agency regarding the child's father or relatives of the child, the court may order the parent to disclose the names, addresses, telephone numbers, and other identifying information to the responsible social services agency for the purpose of complying with sections 260C.151, 260C.212, 260C.215, and 260C.221.

(k) If a child ordered into foster care has siblings, whether full, half, or step, who are also ordered into foster care, the court shall inquire of the responsible social services agency of the efforts to place the children together as required by section 260C.212, subdivision 2, paragraph (d), if placement together is in each child's best interests, unless a child is in placement for treatment or a child is placed with a previously noncustodial parent who is not a parent to all siblings. If the children are not placed together at the time of the hearing, the court shall inquire at each subsequent hearing of the agency's reasonable efforts to place the siblings together, as required under section 260.012. If any sibling is not placed with another sibling or siblings, the agency must develop a plan to facilitate visitation or ongoing contact among the siblings as required under section 260C.212, subdivision 1, unless it is contrary to the safety or well-being of any of the siblings to do so.

(l) When the court has ordered the child into foster care or into the home of a noncustodial parent, the court may order a chemical dependency evaluation, mental health evaluation, medical examination, and parenting assessment for the parent as necessary to support the development of a plan for reunification required under subdivision 7 and section 260C.212, subdivision 1, or the child protective services plan under section 626.556, subdivision 10, and Minnesota Rules, part 9560.0228.

Sec. 29. Minnesota Statutes 2014, section 260C.201, subdivision 5, is amended to read:

Subd. 5. **Visitation.** If the court orders the child into foster care, the court shall review and either modify or approve the agency's plan for supervised or unsupervised visitation that contributes to the objectives of the court-ordered case plan and the maintenance of the familial relationship, and that meets the requirements of section 260C.212, subdivision 1, paragraph (c), clause (5). No parent may be denied visitation unless the court finds at the disposition hearing that the visitation would endanger the child's physical or emotional well-being, is not in the child's best interests, or is not required under section 260C.178, subdivision 3, paragraph (c) or (d). The court shall review and either modify or approve the agency plan for visitation for any relatives as defined in section 260C.007, subdivision 26b or 27, and with siblings of the child, if visitation is consistent with the best interests of the child.

Sec. 30. Minnesota Statutes 2014, section 260C.212, subdivision 1, is amended to read:

Subdivision 1. **Out-of-home placement; plan.** (a) An out-of-home placement plan shall be prepared within 30 days after any child is placed in foster care by court order or a voluntary placement agreement between the responsible social services agency and the child's parent pursuant to section 260C.227 or chapter 260D.

(b) An out-of-home placement plan means a written document which is prepared by the responsible social services agency jointly with the parent or parents or guardian of the child and in consultation with the child's guardian ad litem, the child's tribe, if the child is an Indian child, the child's foster parent or representative of the foster care facility, and, where appropriate, the child. For a child in voluntary foster care for treatment under chapter 260D, preparation of the out-of-home placement plan shall additionally include the child's mental health treatment provider. As appropriate, the plan shall be:

(1) submitted to the court for approval under section 260C.178, subdivision 7;

(2) ordered by the court, either as presented or modified after hearing, under section 260C.178, subdivision 7, or 260C.201, subdivision 6; and

(3) signed by the parent or parents or guardian of the child, the child's guardian ad litem, a representative of the child's tribe, the responsible social services agency, and, if possible, the child.

(c) The out-of-home placement plan shall be explained to all persons involved in its implementation, including the child who has signed the plan, and shall set forth:

(1) a description of the foster care home or facility selected, including how the out-of-home placement plan is designed to achieve a safe placement for the child in the least restrictive, most family-like, setting available which is in close proximity to the home of the parent or parents or guardian of the child when the case plan goal is reunification, and how the placement is consistent with the best interests and special needs of the child according to the factors under subdivision 2, paragraph (b);

(2) the specific reasons for the placement of the child in foster care, and when reunification is the plan, a description of the problems or conditions in the home of the parent or parents which necessitated removal of the child from home and the changes the parent or parents must make in order for the child to safely return home;

(3) a description of the services offered and provided to prevent removal of the child from the home and to reunify the family including:

(i) the specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions identified in clause (2), and the time period during which the actions are to be taken; and

(ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made to achieve a safe and stable home for the child including social and other supportive services to be provided or offered to the parent or parents or guardian of the child, the child, and the residential facility during the period the child is in the residential facility;

(4) a description of any services or resources that were requested by the child or the child's parent, guardian, foster parent, or custodian since the date of the child's placement in the residential facility, and whether those services or resources were provided and if not, the basis for the denial of the services or resources;

(5) the visitation plan for the parent or parents or guardian, other relatives as defined in section 260C.007, subdivision 26b or 27, and siblings of the child if the siblings are not placed together in foster care, and whether visitation is consistent with the best interest of the child, during the period the child is in foster care;

(6) when a child cannot return to or be in the care of either parent, documentation of steps to finalize the permanency plan for the child, including:

(i) reasonable efforts to place the child for adoption. At a minimum, the documentation must include consideration of whether adoption is in the best interests of the child, child-specific recruitment efforts such as relative search and the use of state, regional, and national adoption exchanges to facilitate orderly and timely placements in and outside of the state. A copy of this documentation shall be provided to the court in the review required under section 260C.317, subdivision 3, paragraph (b); and

(ii) documentation necessary to support the requirements of the kinship placement agreement under section 256N.22 when adoption is determined not to be in the child's best interests;

(7) efforts to ensure the child's educational stability while in foster care, including:

(i) efforts to ensure that the child remains in the same school in which the child was enrolled prior to placement or upon the child's move from one placement to another, including efforts to work with the local education authorities to ensure the child's educational stability; or

(ii) if it is not in the child's best interest to remain in the same school that the child was enrolled in prior to placement or move from one placement to another, efforts to ensure immediate and appropriate enrollment for the child in a new school;

(8) the educational records of the child including the most recent information available regarding:

(i) the names and addresses of the child's educational providers;

(ii) the child's grade level performance;

(iii) the child's school record;

(iv) a statement about how the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement; and

(v) any other relevant educational information;

(9) the efforts by the local agency to ensure the oversight and continuity of health care services for the foster child, including:

(i) the plan to schedule the child's initial health screens;

(ii) how the child's known medical problems and identified needs from the screens, including any known communicable diseases, as defined in section 144.4172, subdivision 2, will be monitored and treated while the child is in foster care;

(iii) how the child's medical information will be updated and shared, including the child's immunizations;

(iv) who is responsible to coordinate and respond to the child's health care needs, including the role of the parent, the agency, and the foster parent;

(v) who is responsible for oversight of the child's prescription medications;

(vi) how physicians or other appropriate medical and nonmedical professionals will be consulted and involved in assessing the health and well-being of the child and determine the appropriate medical treatment for the child; and

(vii) the responsibility to ensure that the child has access to medical care through either medical insurance or medical assistance;

(10) the health records of the child including information available regarding:

(i) the names and addresses of the child's health care and dental care providers;

(ii) a record of the child's immunizations;

(iii) the child's known medical problems, including any known communicable diseases as defined in section 144.4172, subdivision 2;

(iv) the child's medications; and

(v) any other relevant health care information such as the child's eligibility for medical insurance or medical assistance;

(11) an independent living plan for a child age 16 or older. The plan should include, but not be limited to, the following objectives:

(i) educational, vocational, or employment planning;

(ii) health care planning and medical coverage;

(iii) transportation including, where appropriate, assisting the child in obtaining a driver's license;

(iv) money management, including the responsibility of the agency to ensure that the youth annually receives, at no cost to the youth, a consumer report as defined under section 13C.001 and assistance in interpreting and resolving any inaccuracies in the report;

(v) planning for housing;

(vi) social and recreational skills; and

(vii) establishing and maintaining connections with the child's family and community; and

(12) for a child in voluntary foster care for treatment under chapter 260D, diagnostic and assessment information, specific services relating to meeting the mental health care needs of the child, and treatment outcomes.

(d) The parent or parents or guardian and the child each shall have the right to legal counsel in the preparation of the case plan and shall be informed of the right at the time of placement of the child. The child shall also have the right to a guardian ad litem. If unable to employ counsel from their own resources, the court shall appoint counsel upon the request of the parent or parents or the child or the child's legal guardian. The parent or parents may also receive assistance from any person or social services agency in preparation of the case plan.

After the plan has been agreed upon by the parties involved or approved or ordered by the court, the foster parents shall be fully informed of the provisions of the case plan and shall be provided a copy of the plan.

Upon discharge from foster care, the parent, adoptive parent, or permanent legal and physical custodian, as appropriate, and the child, if appropriate, must be provided with a current copy of the child's health and education record.

Sec. 31. Minnesota Statutes 2014, section 260C.212, subdivision 2, is amended to read:

Subd. 2. **Placement decisions based on best interests of the child.** (a) The policy of the state of Minnesota is to ensure that the child's best interests are met by requiring an individualized determination of the needs of the child and of how the selected placement will serve the needs of the child being placed. The authorized child-placing agency shall place a child, released by court order or by voluntary release by the parent or parents, in a family foster home selected by considering placement with relatives and important friends in the following order:

- (1) with an individual who is related to the child by blood, marriage, or adoption; or
- (2) with an individual who is an important friend with whom the child has resided or had significant contact.

For an Indian child, the agency shall follow the order of placement preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1915.

(b) Among the factors the agency shall consider in determining the needs of the child are the following:

- (1) the child's current functioning and behaviors;
- (2) the medical needs of the child;
- (3) the educational needs of the child;
- (4) the developmental needs of the child;
- (5) the child's history and past experience;
- (6) the child's religious and cultural needs;
- (7) the child's connection with a community, school, and faith community;
- (8) the child's interests and talents;
- (9) the child's relationship to current caretakers, parents, siblings, and relatives; ~~and~~
- (10) the reasonable preference of the child, if the court, or the child-placing agency in the case of a voluntary placement, deems the child to be of sufficient age to express preferences; and

(11) for an Indian child, the best interests of an Indian child as defined in section 260.755, subdivision 2a.

(c) Placement of a child cannot be delayed or denied based on race, color, or national origin of the foster parent or the child.

(d) Siblings should be placed together for foster care and adoption at the earliest possible time unless it is documented that a joint placement would be contrary to the safety or well-being of any of the siblings or unless it is not possible after reasonable efforts by the responsible social services agency. In cases where siblings cannot be placed together, the agency is required to provide frequent visitation or other ongoing interaction between siblings unless the agency documents that the interaction would be contrary to the safety or well-being of any of the siblings.

(e) Except for emergency placement as provided for in section 245A.035, the following requirements must be satisfied before the approval of a foster or adoptive placement in a related or unrelated home: (1) a completed background study under section 245C.08; and (2) a completed review of the written home study required under section 260C.215, subdivision 4, clause (5), or 260C.611, to assess the capacity of the prospective foster or adoptive parent to ensure the placement will meet the needs of the individual child.

Sec. 32. Minnesota Statutes 2014, section 260C.511, is amended to read:

260C.511 BEST INTERESTS OF THE CHILD.

(a) The "best interests of the child" means all relevant factors to be considered and evaluated. In the case of an Indian child, best interests of the child includes best interests of an Indian child as defined in section 260.755, subdivision 2a.

(b) In making a permanency disposition order or termination of parental rights, the court must be governed by the best interests of the child, including a review of the relationship between the child and relatives and the child and other important persons with whom the child has resided or had significant contact.

Sec. 33. Minnesota Statutes 2014, section 471.346, is amended to read:

471.346 PUBLICLY OWNED AND LEASED VEHICLES IDENTIFIED.

All motor vehicles owned or leased by a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision, except for unmarked vehicles used in general police and fire work, arson investigations, ~~and~~ Department of Human Services investigations ~~including~~ conducted by central office staff, and county fraud prevention investigations conducted by county or contract fraud prevention investigators, shall have the name of the political subdivision plainly displayed on both sides of the vehicle in letters not less than 2-1/2 inches high and one-half inch wide. The identification must be in a color that contrasts with the color of the part of the vehicle on which it is placed and must remain on and be clean and visible throughout the period of which the vehicle is owned or leased by the political subdivision. The identification must not be on a removable plate or placard except on leased vehicles but the plate or placard must not be removed from a leased vehicle at any time during the term of the lease.

Sec. 34. **[609.816] WRONGFUL EMPLOYMENT AT A CHILD CARE CENTER.**

A person is guilty of a crime and may be sentenced as provided in section 609.52, subdivision 3, clauses (1) to (5), if the person:

(1) is a child care center owner, director, manager, license holder, or other controlling individual or agent of a child care center;

(2) engages in the recruitment or screening of potential employees or applicants or instructs other persons engaged in the recruitment or screening of potential employees or applicants; and

(3) requires, as a condition of obtaining or continuing employment at the child care center in order to obtain child care assistance funds, that the applicant, potential employee, or employee has one or more children who are eligible for or receive child care assistance.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to crimes committed on or after that date.

Sec. 35. Minnesota Statutes 2014, section 609.821, is amended to read:

609.821 FINANCIAL TRANSACTION CARD FRAUD.

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

(a) "Financial transaction card" means any instrument or device, whether known as a credit card, credit plate, charge plate, courtesy card, bank services card, banking card, check guarantee card, debit card, electronic benefit system (EBS) card, electronic benefit transfer (EBT) card, assistance transaction card, or by any other name, issued

with or without fee by an issuer for the use of the cardholder in obtaining credit, money, goods, services, public assistance benefits, or anything else of value, and includes the account or identification number or symbol of a financial transaction card.

(b) "Cardholder" means a person in whose name a card is issued.

(c) "Issuer" means a person, firm, or governmental agency, or a duly authorized agent or designee, that issues a financial transaction card.

(d) "Property" includes money, goods, services, public assistance benefit, or anything else of value.

(e) "Public assistance benefit" means any money, goods or services, or anything else of value, issued under chapters 256, 256B, 256D, or section 393.07, subdivision 10.

(f) "Trafficking of SNAP benefits" means:

(1) the buying, selling, stealing, or otherwise effecting an exchange of Supplemental Nutrition Assistance Program (SNAP) benefits issued and accessed via an electronic benefit transfer (EBT) card, card number and personal identification number (PIN), or manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone;

(2) the exchange of one of the following for SNAP benefits: firearms, ammunition, explosives, or controlled substances as defined in United States Code, title 21, section 802;

(3) purchasing a product with SNAP benefits that has a container requiring a return deposit with the intent of obtaining cash by discarding the product and returning the container for the deposit amount, intentionally discarding the product, and intentionally returning the container for the deposit amount;

(4) purchasing a product with SNAP benefits with the intent of obtaining cash or consideration other than eligible food by reselling the product, and intentionally reselling the product purchased with SNAP benefits in exchange for cash or consideration other than eligible food;

(5) intentionally purchasing products originally purchased with SNAP benefits in exchange for cash or consideration other than eligible food; or

(6) attempting to buy, sell, steal, or otherwise effect an exchange of SNAP benefits issued and accessed via an EBT card, card number and PIN number, or manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone.

Subd. 2. **Violations; penalties.** A person who does any of the following commits financial transaction card fraud:

(1) without the consent of the cardholder, and knowing that the cardholder has not given consent, uses or attempts to use a card to obtain the property of another, or a public assistance benefit issued for the use of another;

(2) uses or attempts to use a card knowing it to be forged, false, fictitious, or obtained in violation of clause (6);

(3) sells or transfers a card knowing that the cardholder and issuer have not authorized the person to whom the card is sold or transferred to use the card, or that the card is forged, false, fictitious, or was obtained in violation of clause (6);

(4) without a legitimate business purpose, and without the consent of the cardholders, receives or possesses, with intent to use, or with intent to sell or transfer in violation of clause (3), two or more cards issued in the name of another, or two or more cards knowing the cards to be forged, false, fictitious, or obtained in violation of clause (6);

(5) being authorized by an issuer to furnish money, goods, services, or anything else of value, knowingly and with an intent to defraud the issuer or the cardholder:

(i) furnishes money, goods, services, or anything else of value upon presentation of a financial transaction card knowing it to be forged, expired, or revoked, or knowing that it is presented by a person without authority to use the card; or

(ii) represents in writing to the issuer that the person has furnished money, goods, services, or anything else of value which has not in fact been furnished;

(6) upon applying for a financial transaction card to an issuer, or for a public assistance benefit which is distributed by means of a financial transaction card:

(i) knowingly gives a false name or occupation;

(ii) knowingly and substantially overvalues assets or substantially undervalues indebtedness for the purpose of inducing the issuer to issue a financial transaction card; or

(iii) knowingly makes a false statement or representation for the purpose of inducing an issuer to issue a financial transaction card used to obtain a public assistance benefit;

(7) with intent to defraud, falsely notifies the issuer or any other person of a theft, loss, disappearance, or nonreceipt of a financial transaction card; ~~or~~

(8) without the consent of the cardholder and knowing that the cardholder has not given consent, falsely alters, makes, or signs any written document pertaining to a card transaction to obtain or attempt to obtain the property of another; or

(9) engages in trafficking of SNAP benefits.

Subd. 3. **Sentence.** (a) A person who commits financial transaction card fraud may be sentenced as follows:

(1) for a violation of subdivision 2, clause (1), (2), (5), ~~or (8)~~, or (9):

(i) to imprisonment for not more than 20 years or to payment of a fine of not more than \$100,000, or both, if the value of the property the person obtained or attempted to obtain was more than \$35,000, or the aggregate amount of the transactions under this subdivision was more than \$35,000; or

(ii) to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the value of the property the person obtained or attempted to obtain was more than \$2,500, or the aggregate amount of the transactions under this subdivision was more than \$2,500; or

(iii) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the value of the property the person obtained or attempted to obtain was more than \$250 but not more than \$2,500, or the aggregate amount of the transactions under this subdivision was more than \$250 but not more than \$2,500; or

(iv) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the value of the property the person obtained or attempted to obtain was not more than \$250, or the aggregate amount of the transactions under this subdivision was not more than \$250, and the person has previously been convicted within the preceding five years for an offense under this section, section 609.24; 609.245; 609.52; 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; or 609.631, or a statute from another state in conformity with any of those sections, and the person received a felony or gross misdemeanor sentence for the offense, or a sentence that was stayed under section 609.135 if the offense to which a plea was entered would allow imposition of a felony or gross misdemeanor sentence; or

(v) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the property the person obtained or attempted to obtain was not more than \$250, or the aggregate amount of the transactions under this subdivision was not more than \$250;

(2) for a violation of subdivision 2, clause (3) or (4), to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both; or

(3) for a violation of subdivision 2, clause (6) or (7):

(i) if no property, other than a financial transaction card, has been obtained by the defendant by means of the false statement or false report, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; or

(ii) if property, other than a financial transaction card, is so obtained, in the manner provided in clause (1).

(b) In any prosecution under paragraph (a), clause (1), the value of the transactions made or attempted within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the card transactions occurred for all of the transactions aggregated under this paragraph.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to crimes committed on or after that date.

Sec. 36. Minnesota Statutes 2014, section 626.556, subdivision 10, is amended to read:

Subd. 10. **Duties of local welfare agency and local law enforcement agency upon receipt of report.** (a) Upon receipt of a report, the local welfare agency shall determine whether to conduct a family assessment or an investigation as appropriate to prevent or provide a remedy for child maltreatment. The local welfare agency:

(1) shall conduct an investigation on reports involving substantial child endangerment;

(2) shall begin an immediate investigation if, at any time when it is using a family assessment response, it determines that there is reason to believe that substantial child endangerment or a serious threat to the child's safety exists;

(3) may conduct a family assessment for reports that do not allege substantial child endangerment. In determining that a family assessment is appropriate, the local welfare agency may consider issues of child safety, parental cooperation, and the need for an immediate response; ~~and~~

(4) may conduct a family assessment on a report that was initially screened and assigned for an investigation. In determining that a complete investigation is not required, the local welfare agency must document the reason for terminating the investigation and notify the local law enforcement agency if the local law enforcement agency is conducting a joint investigation; and

(5) shall provide immediate notice, according to section 260.761, subdivision 2, to an Indian child's tribe when the agency has reason to believe the family assessment or investigation may involve an Indian child. For purposes of this clause, "immediate notice" means notice provided within 24 hours.

If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or individual functioning within the family unit as a person responsible for the child's care, or sexual abuse by a person with a significant relationship to the child when that person resides in the child's household or by a sibling, the local welfare agency shall immediately conduct a family assessment or investigation as identified in clauses (1) to (4). In conducting a family assessment or investigation, the local welfare agency shall gather information on the existence of substance abuse and domestic violence and offer services for purposes of preventing future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected minor, and supporting and preserving family life whenever possible. If the report alleges a violation of a criminal statute involving sexual abuse, physical abuse, or neglect or endangerment, under section 609.378, the local law enforcement agency and local welfare agency shall coordinate the planning and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews. Each agency shall prepare a separate report of the results of its investigation. In cases of alleged child maltreatment resulting in death, the local agency may rely on the fact-finding efforts of a law enforcement investigation to make a determination of whether or not maltreatment occurred. When necessary the local welfare agency shall seek authority to remove the child from the custody of a parent, guardian, or adult with whom the child is living. In performing any of these duties, the local welfare agency shall maintain appropriate records.

If the family assessment or investigation indicates there is a potential for abuse of alcohol or other drugs by the parent, guardian, or person responsible for the child's care, the local welfare agency shall conduct a chemical use assessment pursuant to Minnesota Rules, part 9530.6615.

(b) When a local agency receives a report or otherwise has information indicating that a child who is a client, as defined in section 245.91, has been the subject of physical abuse, sexual abuse, or neglect at an agency, facility, or program as defined in section 245.91, it shall, in addition to its other duties under this section, immediately inform the ombudsman established under sections 245.91 to 245.97. The commissioner of education shall inform the ombudsman established under sections 245.91 to 245.97 of reports regarding a child defined as a client in section 245.91 that maltreatment occurred at a school as defined in sections 120A.05, subdivisions 9, 11, and 13, and 124D.10.

(c) Authority of the local welfare agency responsible for assessing or investigating the child abuse or neglect report, the agency responsible for assessing or investigating the report, and of the local law enforcement agency for investigating the alleged abuse or neglect includes, but is not limited to, authority to interview, without parental consent, the alleged victim and any other minors who currently reside with or who have resided with the alleged offender. The interview may take place at school or at any facility or other place where the alleged victim or other minors might be found or the child may be transported to, and the interview conducted at, a place appropriate for the interview of a child designated by the local welfare agency or law enforcement agency. The interview may take place outside the presence of the alleged offender or parent, legal custodian, guardian, or school official. For family assessments, it is the preferred practice to request a parent or guardian's permission to interview the child prior to conducting the child interview, unless doing so would compromise the safety assessment. Except as provided in this paragraph, the parent, legal custodian, or guardian shall be notified by the responsible local welfare or law enforcement agency no later than the conclusion of the investigation or assessment that this interview has occurred. Notwithstanding rule 32 of the Minnesota Rules of Procedure for Juvenile Courts, the juvenile court may, after hearing on an ex parte motion by the local welfare agency, order that, where reasonable cause exists, the agency withhold notification of this interview from the parent, legal custodian, or guardian. If the interview took place or is to take place on school property, the order shall specify that school officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school property, as provided under this paragraph, and any other related information regarding the interview that may be a part of the child's school record. A copy of the order shall be sent by the local welfare or law enforcement agency to the appropriate school official.

(d) When the local welfare, local law enforcement agency, or the agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property. For interviews conducted by the local welfare agency, the notification shall be signed by the chair of the local social services agency or the chair's designee. The notification shall be private data on individuals subject to the provisions of this paragraph. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless a school employee or agent is alleged to have maltreated the child. Until that time, the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosures regarding the nature of the assessment or investigation.

Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Where the school fails to comply with the provisions of this paragraph, the juvenile court may order the school to comply. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school staff when an interview is conducted on school premises.

(e) Where the alleged offender or a person responsible for the care of the alleged victim or other minor prevents access to the victim or other minor by the local welfare agency, the juvenile court may order the parents, legal custodian, or guardian to produce the alleged victim or other minor for questioning by the local welfare agency or the local law enforcement agency outside the presence of the alleged offender or any person responsible for the child's care at reasonable places and times as specified by court order.

(f) Before making an order under paragraph (e), the court shall issue an order to show cause, either upon its own motion or upon a verified petition, specifying the basis for the requested interviews and fixing the time and place of the hearing. The order to show cause shall be served personally and shall be heard in the same manner as provided in other cases in the juvenile court. The court shall consider the need for appointment of a guardian ad litem to protect the best interests of the child. If appointed, the guardian ad litem shall be present at the hearing on the order to show cause.

(g) The commissioner of human services, the ombudsman for mental health and developmental disabilities, the local welfare agencies responsible for investigating reports, the commissioner of education, and the local law enforcement agencies have the right to enter facilities as defined in subdivision 2 and to inspect and copy the facility's records, including medical records, as part of the investigation. Notwithstanding the provisions of chapter 13, they also have the right to inform the facility under investigation that they are conducting an investigation, to disclose to the facility the names of the individuals under investigation for abusing or neglecting a child, and to provide the facility with a copy of the report and the investigative findings.

(h) The local welfare agency responsible for conducting a family assessment or investigation shall collect available and relevant information to determine child safety, risk of subsequent child maltreatment, and family strengths and needs and share not public information with an Indian's tribal social services agency without violating any law of the state that may otherwise impose duties of confidentiality on the local welfare agency in order to implement the tribal state agreement. The local welfare agency or the agency responsible for investigating the report shall collect available and relevant information to ascertain whether maltreatment occurred and whether

protective services are needed. Information collected includes, when relevant, information with regard to the person reporting the alleged maltreatment, including the nature of the reporter's relationship to the child and to the alleged offender, and the basis of the reporter's knowledge for the report; the child allegedly being maltreated; the alleged offender; the child's caretaker; and other collateral sources having relevant information related to the alleged maltreatment. The local welfare agency or the agency responsible for investigating the report may make a determination of no maltreatment early in an investigation, and close the case and retain immunity, if the collected information shows no basis for a full investigation.

Information relevant to the assessment or investigation must be asked for, and may include:

(1) the child's sex and age, prior reports of maltreatment, information relating to developmental functioning, credibility of the child's statement, and whether the information provided under this clause is consistent with other information collected during the course of the assessment or investigation;

(2) the alleged offender's age, a record check for prior reports of maltreatment, and criminal charges and convictions. The local welfare agency or the agency responsible for assessing or investigating the report must provide the alleged offender with an opportunity to make a statement. The alleged offender may submit supporting documentation relevant to the assessment or investigation;

(3) collateral source information regarding the alleged maltreatment and care of the child. Collateral information includes, when relevant: (i) a medical examination of the child; (ii) prior medical records relating to the alleged maltreatment or the care of the child maintained by any facility, clinic, or health care professional and an interview with the treating professionals; and (iii) interviews with the child's caretakers, including the child's parent, guardian, foster parent, child care provider, teachers, counselors, family members, relatives, and other persons who may have knowledge regarding the alleged maltreatment and the care of the child; and

(4) information on the existence of domestic abuse and violence in the home of the child, and substance abuse.

Nothing in this paragraph precludes the local welfare agency, the local law enforcement agency, or the agency responsible for assessing or investigating the report from collecting other relevant information necessary to conduct the assessment or investigation. Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare agency has access to medical data and records for purposes of clause (3). Notwithstanding the data's classification in the possession of any other agency, data acquired by the local welfare agency or the agency responsible for assessing or investigating the report during the course of the assessment or investigation are private data on individuals and must be maintained in accordance with subdivision 11. Data of the commissioner of education collected or maintained during and for the purpose of an investigation of alleged maltreatment in a school are governed by this section, notwithstanding the data's classification as educational, licensing, or personnel data under chapter 13.

In conducting an assessment or investigation involving a school facility as defined in subdivision 2, paragraph (i), the commissioner of education shall collect investigative reports and data that are relevant to a report of maltreatment and are from local law enforcement and the school facility.

(i) Upon receipt of a report, the local welfare agency shall conduct a face-to-face contact with the child reported to be maltreated and with the child's primary caregiver sufficient to complete a safety assessment and ensure the immediate safety of the child. The face-to-face contact with the child and primary caregiver shall occur immediately if substantial child endangerment is alleged and within five calendar days for all other reports. If the alleged offender was not already interviewed as the primary caregiver, the local welfare agency shall also conduct a face-to-face interview with the alleged offender in the early stages of the assessment or investigation. At the initial contact, the local child welfare agency or the agency responsible for assessing or investigating the report must inform the alleged offender of the complaints or allegations made against the individual in a manner consistent with laws protecting the rights of the person who made the report. The interview with the alleged offender may be postponed if it would jeopardize an active law enforcement investigation.

(j) When conducting an investigation, the local welfare agency shall use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. For investigations only, the following interviewing methods and procedures must be used whenever possible when collecting information:

(1) audio recordings of all interviews with witnesses and collateral sources; and

(2) in cases of alleged sexual abuse, audio-video recordings of each interview with the alleged victim and child witnesses.

(k) In conducting an assessment or investigation involving a school facility as defined in subdivision 2, paragraph (i), the commissioner of education shall collect available and relevant information and use the procedures in paragraphs (i), (k), and subdivision 3d, except that the requirement for face-to-face observation of the child and face-to-face interview of the alleged offender is to occur in the initial stages of the assessment or investigation provided that the commissioner may also base the assessment or investigation on investigative reports and data received from the school facility and local law enforcement, to the extent those investigations satisfy the requirements of paragraphs (i) and (k), and subdivision 3d.

Sec. 37. OBSOLETE RULES REGARDING PRIOR AUTHORIZATIONS FOR MEDICAL SUPPLIES AND EQUIPMENT.

(a) The commissioner of human services shall amend Minnesota Rules, part 9505.0310, subpart 3, to remove the following medical supplies and equipment from the list for which prior authorization is required as a condition of medical assistance payment: a nondurable medical supply that costs more than the performance agreement limit; and durable medical equipment, prostheses, and orthoses if the cost of their purchase, projected cumulative rental for the period of the recipient's expected use, or repairs exceeds the performance agreement limit.

(b) The commissioner of human services shall amend Minnesota Rules, part 9505.0365, subpart 3, to remove the requirement that prior authorization for an ambulatory aid is required for an aid that costs in excess of the limits specified in the provider's performance agreement.

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

Delete the title and insert:

"A bill for an act relating to human services; providing for human services policy modifications; authorizing the use of unmarked vehicles; modifying requirements for background study expenses; modifying cost of care requirements for persons committed by tribal courts; modifying the Minnesota Indian Family Preservation Act; requiring documentation of nonemergency medical transportation services; continuing a council; modifying provisions governing Indian child out-of-home placement; making conforming changes; authorizing rulemaking; providing criminal penalties relating to employment at child care centers and trafficking in SNAP benefits; amending Minnesota Statutes 2014, sections 168.012, subdivision 1; 245A.035, subdivisions 1, 5; 245C.10, by adding a subdivision; 245C.22, subdivision 7; 253B.212, subdivision 2, by adding a subdivision; 256B.0625, by adding a subdivision; 256N.02, subdivision 18; 256N.23, subdivision 6; 257.85, subdivision 3; 259A.01, subdivision 25; 259A.10, subdivision 6; 260.755, subdivisions 8, 14, by adding subdivisions; 260.761, subdivisions 1, 2; 260.771, subdivision 3; 260B.007, subdivision 12; 260C.007, subdivision 27, by adding a subdivision; 260C.168; 260C.178, subdivision 1; 260C.201, subdivision 5; 260C.212, subdivisions 1, 2; 260C.511; 471.346; 609.821; 626.556, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 256; 260; 609."

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. 1688, A bill for an act relating to state government; extending the statute of limitations for a minor child filing a claim under the Human Rights Act; amending Minnesota Statutes 2014, sections 363A.07, subdivision 3; 363A.28, subdivision 3.

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

The report was adopted.

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

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

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

The report was adopted.

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

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

Reported the same back with the recommendation that the bill be 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. 1741, A bill for an act relating to capital investment; appropriating money for the Goodhue Pioneer State Trail; 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 Environment and Natural Resources Policy and Finance.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 3, lines 29 and 30, delete the new language

Page 7, line 9, delete "7" and insert "6"

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2014, section 609.5316, subdivision 3, is amended to read:

Subd. 3. **Weapons, telephone cloning paraphernalia, automated sales suppression devices, and bullet-resistant vests.** Weapons used are contraband and must be summarily forfeited to the appropriate agency upon conviction of the weapon's owner or possessor for a controlled substance crime; for any offense of this chapter or chapter 624, or for a violation of an order for protection under section 518B.01, subdivision 14. Bullet-resistant vests, as defined in section 609.486, worn or possessed during the commission or attempted commission of a crime are contraband and must be summarily forfeited to the appropriate agency upon conviction of the owner or possessor for a controlled substance crime or for any offense of this chapter. Telephone cloning paraphernalia used in a violation of section 609.894, and automated sales suppression devices, phantom-ware, and other devices containing an automated sales suppression or phantom-ware device or software used in violation of section 609.858, are contraband and must be summarily forfeited to the appropriate agency upon a conviction."

Page 2, line 7, delete "intentionally or knowingly"

Page 2, line 9, after "device" insert "knowing that the device or phantom-ware is capable of being used to commit tax fraud or suppress sales"

Page 2, line 10, delete "\$5,000" and insert "\$10,000"

Page 2, delete subdivision 3

Page 2, line 15, delete "4" and insert "3"

Page 2, line 17, delete "609.531" and insert "609.5316"

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1838, A bill for an act relating to education; modifying certain charter school provisions; amending Minnesota Statutes 2014, section 124D.10, subdivisions 3, 4, 6, 6a, 8, 9, 23, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **TERMINATED AND WITHDRAWING AUTHORIZERS; RECOMMENDATIONS.**

(a) The commissioner of education must develop and submit recommendations to the K-12 education policy and finance committees of the legislature by February 15, 2016, to address circumstances where a charter school authorizer is terminated or withdraws as an authorizer, either unilaterally or under a mutual agreement with affected charter schools, and how charter schools are closed and dissolved. In developing recommendations about how to operate a charter school when an authorizer is terminated or withdraws, the commissioner, at a minimum, must address the following:

(1) how to operate a charter school having a terminated or withdrawing authorizer and, if an interim authorizer and contract are recommended, what entities may serve as an interim authorizer, what standards and process for approving that interim authorizer apply, the extent of an interim authorizer's responsibilities for a charter school, and the remaining obligations of the terminated or withdrawing authorizer toward the charter school and interim authorizer, including reports and fees and any other obligations of the terminated or withdrawing authorizer to continue to perform under the charter school contract until a date certain;

(2) how a poorly performing charter school might be operated differently than other charter schools in this circumstance, including how an interim and any successor authorizer might intervene with a poorly performing charter school;

(3) what is and what happens with a poorly performing interim authorizer;

(4) whether the charter school must close and be dissolved if no qualified authorizer is available when the interim period expires; and

(5) the Department of Education's role under this paragraph.

(b) The commissioner of education must consult with the Minnesota Association of Charter Schools, the Minnesota Association of Charter School Authorizers, Charter School Partners, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and other interested education stakeholders in developing the recommendations under paragraph (a).

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

Delete the title and insert:

"A bill for an act relating to education; requiring recommendations regarding certain charter school authorizers."

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 4, H. F. No. 1838 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 1930, A bill for an act relating to education; providing for a program to engage Hmong and Southeast Asian children and families in accessing early childhood care and education, early childhood health and developmental screening, and reading assessments; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Education 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. 1935, A bill for an act relating to public safety; providing for religious objections to autopsies in certain cases; amending Minnesota Statutes 2014, sections 390.005, by adding a subdivision; 390.11, subdivisions 1, 2, by adding a subdivision; 390.32, subdivisions 2, 3.

Reported the same back with the following amendments:

Page 4, line 6, after "Corrections" insert "or a secure treatment facility, as defined in section 246.71, subdivision 5"

Page 4, line 13, delete "(e)" and insert "(g)"

Page 4, delete lines 24 to 36

Page 5, delete lines 1 and 2 and insert:

"(b) The coroner or medical examiner shall, as soon as possible, but no more than 24 hours after the discovery of the decedent's body, exercise good faith efforts to give verbal or written notice to the surviving relative of the decedent of the intended autopsy. This verbal or written notice must include providing written materials explaining the death investigation process or providing the surviving relative the office's Web site address where this information is located. These written materials and Web site must include information regarding Minnesota's law concerning religious objections to autopsies. A record summarizing verbal communication with a surviving relative must be maintained indefinitely in the coroner or medical examiner's records. If, despite a good faith effort, no surviving family members can be found within 24 hours of the discovery of the decedent's body, the autopsy may proceed without further delay.

(c) If the surviving relative of the decedent does not object to the autopsy on religious grounds, the autopsy may be performed without delay.

(d) If a surviving relative of the decedent objects to the autopsy on religious grounds, an autopsy must not be performed, unless the coroner or medical examiner determines that there is a compelling state interest to perform the autopsy. The coroner or medical examiner may require a surviving relative, or a person representing a class of surviving relatives, to present an affidavit stating the person's relationship to the decedent, any religious affiliation of the decedent, that the decedent had a religious objection to an autopsy and the basis for that belief, and that the relative will assume responsibility for the lawful disposition of the body of the deceased."

Page 5, line 3, delete "(c)" and insert "(e)"

Page 5, line 5, delete everything after "delay" and insert a period

Page 5, delete lines 6 and 7

Page 5, line 8, delete "(d)" and insert "(f)"

Page 5, line 11, delete "(e)" and insert "(g)"

Page 5, line 25, delete "(f)" and insert "(h)" and delete "based on a compelling state interest" and insert "after a religious objection"

Page 5, line 29, delete "(g)" and insert "(i)"

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

The report was adopted.

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

H. F. No. 1940, A bill for an act relating to criminal justice; expanding the trespass crime to include trespassing on a school bus; imposing a criminal penalty; amending Minnesota Statutes 2014, section 609.605, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1947, A bill for an act relating to telecommunications; permitting payment in cash for used wireless communications devices in certain circumstances; amending Minnesota Statutes 2014, section 325E.319, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 11, delete "(1)"

Page 1, line 12, delete everything after "made" and insert a period

Page 1, delete line 13

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. 1960, A bill for an act relating to health; modifying the definition of lodging establishment; amending Minnesota Statutes 2014, section 157.15, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 11, delete "used as."

Page 1, line 13, delete "to patients and their families" and insert "exclusively to patients, their families, and caregivers"

Page 1, line 17, delete "licensed under section 144A.46" and insert "defined under section 144A.471, subdivisions 6 and 7."

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. 1976, A bill for an act relating to workers' compensation; modifying electronic transactions; authorizing penalties; modifying death or injury reporting requirements; amending Minnesota Statutes 2014, sections 176.135, by adding a subdivision; 176.221, subdivision 8; 176.231, subdivision 1.

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.

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

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

Reported the same back with the recommendation that 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. 2009, A bill for an act relating to commerce; regulating health coverages; modifying coverages; amending Minnesota Statutes 2014, sections 62A.3075; 62A.65, subdivision 3; 62L.05, subdivision 9; 62L.08, by adding a subdivision; 62Q.18; 62Q.73, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 23, delete everything after "(e)"

Page 2, line 1, reinstate the stricken "fourth" and delete the new language

Page 2, line 2, delete the new language

Page 2, after line 2, insert:

"(f) A health plan company that provides coverage under a health plan for cancer chemotherapy treatment shall indicate the level of coverage for orally administered anticancer medication within its pharmacy benefit filing with the commissioner."

Page 2, delete line 3 and insert:

"**EFFECTIVE DATE.** This section is effective January 1, 2017, and applies to coverage offered, sold, issued, or renewed on or after that date."

Page 3, line 28, delete "paragraphs (a) to (d)."

Page 4, line 4, delete "subdivisions 2 to 4 and 6."

Page 5, line 34, delete "12" and insert "nine"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 146, 210, 238, 337, 518, 745, 840, 961, 1003, 1155, 1167, 1467, 1535, 1538, 1541, 1647, 1677, 1714, 1725, 1792, 1935, 1940, 1947, 1979 and 2009 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 619 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dean, M., introduced:

H. F. No. 2140, A bill for an act relating to human services; requiring the commissioner of human services to establish a Web application to compare prescription drug prices; amending Minnesota Statutes 2014, section 256.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Hoppe introduced:

H. F. No. 2141, A bill for an act relating to liquor; changing legal drinking age to 19; amending Minnesota Statutes 2014, sections 340A.301, subdivision 2; 340A.34; 340A.402, subdivision 1; 340A.410, subdivision 4b; 340A.414, subdivision 8; 340A.417; 340A.503; 340A.701, subdivision 1; 340A.703; 340A.707; 340A.801, subdivision 6; 340A.90.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Vogel introduced:

H. F. No. 2142, A bill for an act relating to labor and industry; prohibiting mandatory fire sprinkler installation; amending Minnesota Statutes 2014, section 299F.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Zerwas; Davids; Draskowski; Miller; Schoen; Newberger; Lohmer; Simonson; Dean, M.; Mack and Daudt introduced:

H. F. No. 2143, A bill for an act relating to taxation; health care provider tax; expanding the exemption for ambulance services; amending Minnesota Statutes 2014, sections 295.50, subdivision 4; 295.52, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Allen introduced:

H. F. No. 2144, A bill for an act relating to appropriations; appropriating money for grants to filmmakers and production companies from the refugee community in Minnesota.

The bill was read for the first time and referred to the Committee on State Government Finance.

Murphy, M., and Schultz introduced:

H. F. No. 2145, A bill for an act relating to taxation; property; exempting from taxation the for-profit use of certain tax-exempt airport property; amending Minnesota Statutes 2014, sections 272.01, subdivision 2; 273.19, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Mack introduced:

H. F. No. 2146, A bill for an act relating to public safety; prohibiting the unauthorized release of images; providing penalties; amending Minnesota Statutes 2014, section 609.746, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Persell, Sundin, Allen and Murphy, M., introduced:

H. F. No. 2147, A bill for an act relating to education finance; establishing an American Indian education aid program; eliminating the equalization cap for Bureau of Indian Education schools; amending Minnesota Statutes 2014, sections 124D.81; 124D.83, subdivision 2.

The bill was read for the first time and referred to the Committee on Education Finance.

Davids introduced:

H. F. No. 2148, A bill for an act relating to capital investment; appropriating money for the Wagon Wheel Trail; 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. 2149, A bill for an act relating to capital investment; appropriating money for the Wagon Wheel Trail; 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.

Thissen introduced:

H. F. No. 2150, A bill for an act relating to economic development; revising contents of a required cost-of-living study; amending Minnesota Statutes 2014, section 116J.013.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Clark; Lillie; Dehn, R.; Bernardy and Slocum introduced:

H. F. No. 2151, A bill for an act relating to health; modifying provisions of the cancer surveillance system; amending Minnesota Statutes 2014, sections 13.3806, subdivision 14; 144.671.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

O'Neill, Cornish, Hamilton, Hoppe and Mahoney introduced:

H. F. No. 2152, A bill for an act relating to commerce; removing reporting requirements and references to the Minneapolis automated property system; amending Minnesota Statutes 2014, sections 168A.1501, subdivisions 1, 6; 325E.21, subdivisions 1, 2; repealing Minnesota Statutes 2014, sections 168A.1501, subdivisions 5, 5a; 325E.21, subdivisions 1c, 1d; Laws 2014, chapter 190, sections 10; 11.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Davids introduced:

H. F. No. 2153, A bill for an act relating to taxation; individual income and corporate franchise; providing a ten-year carryover for section 179 expensing subtractions that exceed taxable income; amending Minnesota Statutes 2014, section 290.01, subdivisions 19b, 19d; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Cornish introduced:

H. F. No. 2154, A bill for an act relating to public safety; amending crime of damage to property of critical public service facility, utility, or pipeline; amending Minnesota Statutes 2014, section 609.594, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Peterson, Christensen, Koznick, Vogel and Albright introduced:

H. F. No. 2155, A bill for an act relating to transportation; highways; appropriating money for replacement of the marked Interstate Highway 35W bridge over the Minnesota River; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

McDonald introduced:

H. F. No. 2156, A bill for an act relating to solid waste; appropriating money for demonstration project.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

Gunther and Moran introduced:

H. F. No. 2157, A bill for an act relating to employment; establishing a grant program to help low-income, low-skilled individuals enter the workforce; appropriating money.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Erickson, Schoen and Howe introduced:

H. F. No. 2158, A bill for an act relating to human services; establishing the Minnesota Commission on Fatherhood; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 245.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Erickson, Schoen and Howe introduced:

H. F. No. 2159, A bill for an act relating to human services; establishing the Minnesota Fatherhood Task Force; creating duties; providing for membership and staff; requiring a report.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Anderson, S., introduced:

H. F. No. 2160, A bill for an act relating to insurance; regulating health plans; amending Minnesota Statutes 2014, sections 62A.04, subdivision 1; 62A.047; 62A.06, by adding a subdivision; 62A.21, subdivision 2a; 62A.65, by adding a subdivision; 62D.105, subdivision 1; 62Q.18, subdivision 7; 62Q.188, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Barrett, Zerwas, McDonald, Quam, O'Neill and Rarick introduced:

H. F. No. 2161, A bill for an act relating to education finance; creating a new source of state aid for school districts with below average revenue; amending Minnesota Statutes 2014, section 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on Education Finance.

Lenczewski introduced:

H. F. No. 2162, A bill for an act relating to taxation; property; eliminating the personal property tax on electric generation systems; instituting a new method of valuing personal property on electric generation systems; authorizing transition aid; repealing exemptions; appropriating money; amending Minnesota Statutes 2014, sections 126C.21, subdivision 3; 216B.16, subdivision 6d; 216B.1621, subdivision 2; 216B.164, subdivision 2a; 216B.2424, subdivision 5; 270C.01, subdivision 7; 272.02, subdivision 9; 272.025, subdivision 1; 273.13, subdivision 24; 275.70, subdivision 6; 275.71, subdivision 5; 469.315; proposing coding for new law in Minnesota Statutes, chapters 273; 477A; repealing Minnesota Statutes 2014, sections 272.02, subdivisions 10, 24, 29, 33, 44, 45, 52, 54, 55, 56, 68, 69, 70, 71, 84, 89, 92, 93, 96, 99; 272.0211; 272.029; 272.0295.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Barrett, Zerwas, McDonald and Rarick introduced:

H. F. No. 2163, A bill for an act relating to education finance; creating a new source of state aid for school districts with below average revenue; amending Minnesota Statutes 2014, section 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on Education Finance.

Dettmer and Howe introduced:

H. F. No. 2164, A bill for an act relating to state government; canceling money from Department of Education; appropriating money to Department of Veterans Affairs.

The bill was read for the first time and referred to the Committee on State Government Finance.

Quam introduced:

H. F. No. 2165, A bill for an act relating to education finance; appropriating money for technology at the Perpich Center for Arts Education.

The bill was read for the first time and referred to the Committee on Education Finance.

Kahn, Moran, Runbeck, Whelan and Scott introduced:

H. F. No. 2166, A resolution expressing concern over persistent and credible reports of systematic, state-sanctioned, forced organ harvesting from nonconsenting prisoners of conscience, primarily from Falun Gong practitioners imprisoned for their spiritual beliefs, and members of other religious and ethnic minority groups in the People's Republic of China.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Applebaum introduced:

H. F. No. 2167, A bill for an act relating to transportation; requiring Metropolitan Council to study and report on feasibility of use of commuter rail transit in or near the Interstate Highway 394 Corridor and the feasibility of connecting the Interstate Highway 394 and Southwest Light Rail Transit Corridors; appropriating money.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Thissen introduced:

H. F. No. 2168, A bill for an act relating to economic development; appropriating money for minority business development programs.

The bill was read for the first time and referred to the Committee on Greater Minnesota Economic and Workforce Development Policy.

Fischer introduced:

H. F. No. 2169, A bill for an act relating to judiciary; requiring an oath of office for justices and judges; withholding salary for noncompliance; amending Minnesota Statutes 2014, section 480A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 480; 484.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Hamilton and Mahoney introduced:

H. F. No. 2170, A bill for an act relating to economic development; appropriating money for the Asian Economic Development Association.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Johnson, S.; Hamilton and Mahoney introduced:

H. F. No. 2171, A bill for an act relating to economic development; appropriating money to the Eastside Enterprise Center.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Johnson, C., introduced:

H. F. No. 2172, A bill for an act relating to capital investment; appropriating money for Minnesota Security Hospital, St. Peter, phase 2; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on State Government Finance.

Johnson, C., introduced:

H. F. No. 2173, A bill for an act relating to water; establishing a watershed plan implementation program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103B.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I have the honor to inform the House of Representatives that the Senate is ready to meet with the House in Joint Convention at 6:45 p.m., Thursday, April 9, 2015, to receive the message of the Honorable Mark Dayton, Governor of the State of Minnesota, which will be delivered at 7:00 p.m.

JOANNE M. ZOFF, Secretary of the Senate

**REPORT FROM THE COMMITTEE ON RULES
AND LEGISLATIVE ADMINISTRATION**

Peppin from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Thursday, April 9, 2015 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 283 and 307.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the Joint Convention on Thursday, April 9, 2015:

Pugh, Dettmer, Backer, Youakim and Johnson, C.

MOTIONS AND RESOLUTIONS

Kresha moved that his name be stricken as an author on H. F. No. 97. The motion prevailed.

Scott moved that the name of Kiel be added as an author on H. F. No. 437. The motion prevailed.

Kelly moved that the name of Johnson, C., be added as an author on H. F. No. 445. The motion prevailed.

Fabian moved that the name of Kiel be added as an author on H. F. No. 514. The motion prevailed.

Wills moved that the name of Youakim be added as an author on H. F. No. 581. The motion prevailed.

Mahoney moved that the name of Dehn, R., be added as an author on H. F. No. 590. The motion prevailed.

Kresha moved that the name of Kiel be added as an author on H. F. No. 593. The motion prevailed.

Fabian moved that the name of Kiel be added as an author on H. F. No. 616. The motion prevailed.

Fabian moved that the name of Kiel be added as an author on H. F. No. 617. The motion prevailed.

Franson moved that the name of Lucero be added as an author on H. F. No. 683. The motion prevailed.

Hamilton moved that the name of Kiel be added as an author on H. F. No. 749. The motion prevailed.

Gunther moved that the name of McNamara be added as an author on H. F. No. 809. The motion prevailed.

Schomacker moved that the name of Loeffler be added as an author on H. F. No. 971. The motion prevailed.

Drazkowski moved that the name of Miller be added as an author on H. F. No. 984. The motion prevailed.

McDonald moved that the name of Loeffler be added as an author on H. F. No. 1148. The motion prevailed.

Zerwas moved that the name of Kiel be added as an author on H. F. No. 1151. The motion prevailed.

Erhardt moved that his name be stricken as an author on H. F. No. 1163. The motion prevailed.

Poppe moved that the name of Clark be added as an author on H. F. No. 1216. The motion prevailed.

Schomacker moved that the name of Newton be added as an author on H. F. No. 1395. The motion prevailed.

Clark moved that the name of Moran be added as an author on H. F. No. 1398. The motion prevailed.

Drazkowski moved that the name of Daniels be added as an author on H. F. No. 1450. The motion prevailed.

Poppe moved that her name be stricken as an author on H. F. No. 1515. The motion prevailed.

Miller moved that the name of Kiel be added as an author on H. F. No. 1546. The motion prevailed.

Davnie moved that the name of Loeffler be added as an author on H. F. No. 1575. The motion prevailed.

McDonald moved that the name of Davnie be added as an author on H. F. No. 1609. The motion prevailed.

Atkins moved that the name of Lenczewski be added as an author on H. F. No. 1693. The motion prevailed.

Pierson moved that the name of Runbeck be added as an author on H. F. No. 1714. The motion prevailed.

Runbeck moved that the names of Dettmer and Hackbarth be added as authors on H. F. No. 1835. The motion prevailed.

Selcer moved that the name of Lenczewski be added as an author on H. F. No. 1849. The motion prevailed.

Loonan moved that the name of Newton be added as an author on H. F. No. 1870. The motion prevailed.

Hansen moved that his name be stricken as an author on H. F. No. 1906. The motion prevailed.

Schoen moved that the name of Newton be added as an author on H. F. No. 1907. The motion prevailed.

Hamilton moved that the name of Johnson, S., be added as an author on H. F. No. 1930. The motion prevailed.

Marquart moved that the name of Johnson, S., be added as an author on H. F. No. 2018. The motion prevailed.

McDonald moved that the name of Drazkowski be added as an author on H. F. No. 2019. The motion prevailed.

Clark moved that the name of Kahn be added as an author on H. F. No. 2086. The motion prevailed.

Urdahl moved that the name of Lillie be added as an author on H. F. No. 2129. The motion prevailed.

Lesch moved that the name of Hausman be added as an author on H. F. No. 2137. The motion prevailed.

Fischer moved that the name of Hausman be added as an author on H. F. No. 2138. The motion prevailed.

Moran moved that the names of Liebling; Hausman; Davnie; Murphy, E.; Clark; Carlson and Laine be added as authors on H. F. No. 2139. The motion prevailed.

Norton moved that H. F. No. 1056 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance. The motion prevailed.

Hancock moved that S. F. No. 128 be recalled from the Committee on Health and Human Services Reform and be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance. The motion prevailed.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, April 9, 2015. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, April 9, 2015.

PATRICK D. MURPHY, Chief Clerk, House of Representatives