

STATE OF MINNESOTA

Journal of the House

EIGHTY-NINTH SESSION — 2015

FORTIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 16, 2015

The House of Representatives convened at 3:30 p.m. and was called to order by Kurt Daudt, Speaker of the House.

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

A quorum was present.

Halverson, Lesch and McDonald were excused.

Mariani was excused until 3:50 p.m.

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.

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REPORTS OF CHIEF CLERK

S. F. No. 1081 and H. F. No. 1140, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Schoen moved that S. F. No. 1081 be substituted for H. F. No. 1140 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1147 and H. F. No. 953, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

O'Driscoll moved that S. F. No. 1147 be substituted for H. F. No. 953 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1741 and H. F. No. 1647, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Hilstrom moved that S. F. No. 1741 be substituted for H. F. No. 1647 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Davids from the Committee on Taxes to which was referred:

H. F. No. 843, A bill for an act relating to economic development; appropriating money for the Departments of Employment and Economic Development, Labor and Industry, and Commerce; the Bureau of Mediation Services; Housing Finance Agency; Explore Minnesota Tourism; Boards of Accountancy, AELSLAGID, Cosmetologist Examiners, and Barber Examiners; Workers' Compensation Court of Appeals; Public Utilities Commission; Pollution Control Agency; and Department of Administration; making policy changes to jobs and economic development, housing, labor and industry, and commerce; establishing a tiered minimum wage; modifying unemployment insurance employer taxes; regulating delivered fuels; modifying energy conservation provisions; regulating renewable fuels; regulating greenhouse gas emissions; making miscellaneous energy policy changes and conforming changes; modifying fees; providing penalties; requiring reports; amending Minnesota Statutes 2014, sections 3.8851, subdivisions 3, 7; 12A.15, subdivision 1; 16B.323; 45.0135, subdivision 6, by adding a subdivision; 65B.44, by adding a subdivision; 65B.84, subdivision 1; 79.251, subdivision 1; 116C.779, subdivision 1; 116C.7791, subdivision 5; 116C.7792; 116J.431, subdivisions 1, 6; 116J.437, subdivision 1; 116J.8738, subdivision 3, by adding a subdivision; 116J.8747, subdivisions 1, 2; 116L.17, subdivision 4; 116L.20, subdivision 1; 116L.98, subdivisions 1, 3, 5, 7; 116M.18, subdivisions 4, 8; 177.24, subdivision 1, by adding subdivisions; 216B.02, by adding subdivisions; 216B.16, subdivisions 6, 6b, 6c, 7b, 8, 12, 19; 216B.164, subdivisions 3, 3a; 216B.1641; 216B.1645, subdivision 1; 216B.1691; 216B.2401; 216B.241, subdivisions 5c, 9, by adding a subdivision; 216B.2411, subdivision 3; 216B.2421, subdivision 2; 216B.2422, subdivisions 2c, 4; 216B.2425; 216B.243, subdivisions 3b, 8, 9; 216C.41, subdivisions 2, 5a; 216C.435, subdivision 5; 216E.03, subdivisions 5, 7; 216E.04, subdivision 5; 216H.01, by adding a subdivision; 216H.02, subdivision 1; 216H.021, subdivision 1; 216H.03, subdivisions 1, 3, 4, 7; 216H.07; 237.01, by adding subdivisions; 268.035, subdivisions 6, 21b, 26, 30; 268.051, subdivision 7, by adding a subdivision; 268.07, subdivisions 2, 3b; 268.085, subdivisions 1, 2; 268.095, subdivisions 1, 10; 268.105, subdivisions 3, 7; 268.136, subdivision 1; 268.194, subdivision 1; 268A.085; 275.70, subdivision 6;

275.71, subdivision 5; 297A.67, by adding a subdivision; 297A.992, by adding a subdivision; 297I.11, subdivision 2; 326B.092, subdivision 7; 326B.096; 326B.106, subdivision 1; 326B.118; 326B.13, subdivision 8; 326B.986, subdivisions 5, 8; 327.20, subdivision 1; 341.321; 345.42, subdivision 1, by adding a subdivision; 373.48, subdivision 3; 453A.02, subdivision 5; 462A.33, subdivision 1; 469.049; 469.050, subdivision 4; 469.084, subdivisions 3, 4, 8, 9, 10, 14; 469.174, subdivision 12; 469.175, subdivision 3; 469.176, subdivision 4c; 469.1761, by adding a subdivision; 473.145; 473.254, subdivisions 2, 3a; Laws 2008, chapter 296, article 1, section 25, as amended; Laws 2014, chapter 312, article 2, section 14; proposing coding for new law in Minnesota Statutes, chapters 80A; 116J; 116L; 175; 181; 216B; 216C; 216E; 216H; 237; 609; proposing coding for new law as Minnesota Statutes, chapter 59D; repealing Minnesota Statutes 2014, sections 3.8852; 80G.01; 80G.02; 80G.03; 80G.04; 80G.05; 80G.06; 80G.07; 80G.08; 80G.09; 80G.10; 116C.779, subdivision 3; 116U.26; 174.187; 177.24, subdivision 2; 216B.1612; 216B.164, subdivision 10; 216B.8109; 216B.811; 216B.812; 216B.813; 216B.815; 216C.39; 216C.411; 216C.412; 216C.413; 216C.414; 216C.415; 216C.416; 216H.02, subdivisions 2, 3, 4, 5, 6; 469.084, subdivisions 11, 12; Laws 2013, chapter 85, article 6, section 11; Laws 2014, chapter 312, article 2, section 15; Minnesota Rules, part 5205.0580, subpart 21.

Reported the same back with the following amendments:

Page 60, delete sections 3 and 4

Page 62, delete section 5

Page 63, delete section 6

Page 115, delete section 5

Page 162, delete section 15

Page 163, delete sections 16 and 17

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete everything before "Workers"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 849, A bill for an act relating to criminal justice; modifying disaster assistance; appropriating money for courts, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, sentencing guidelines, public safety, Peace Officer Standards and Training (POST) Board, Private Detective Board, human rights, and corrections; amending Minnesota Statutes 2014, sections 12.221, subdivision 6; 12B.15, subdivision 2, by adding a subdivision; 12B.25, subdivision 1; 12B.40; Laws 2013, chapter 86, article 1, section 9.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2016" and "2017" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2016, or June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal year 2017. "The biennium" is fiscal years 2016 and 2017. Appropriations for the fiscal year ending June 30, 2015, are effective the day following final enactment.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2016</u>	<u>2017</u>
Sec. 2. <u>SUPREME COURT</u>		
Subdivision 1. <u>Total Appropriation</u>	<u>\$45,826,000</u>	<u>\$46,426,000</u>
<u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <u>Supreme Court Operations</u>	<u>33,060,000</u>	<u>33,660,000</u>
Subd. 3. <u>Civil Legal Services</u>	<u>12,766,000</u>	<u>12,766,000</u>
<u>Legal Services to Low-Income Clients in Family Law Matters</u>		
<u>\$948,000 each year is to improve the access of low-income clients to legal representation in family law matters. This appropriation must be distributed under Minnesota Statutes, section 480.242, to the qualified legal services program described in Minnesota Statutes, section 480.242, subdivision 2, paragraph (a). Any unencumbered balance remaining in the first year does not cancel and is available in the second year.</u>		
Sec. 3. <u>COURT OF APPEALS</u>	<u>\$11,306,000</u>	<u>\$11,547,000</u>
Sec. 4. <u>DISTRICT COURTS</u>	<u>\$261,597,000</u>	<u>\$267,129,000</u>
<u>\$50,000 each year is to expand specialty courts.</u>		
Sec. 5. <u>GUARDIAN AD LITEM BOARD</u>	<u>\$14,063,000</u>	<u>\$14,411,000</u>

Sec. 6. <u>TAX COURT</u>	<u>\$1,976,000</u>	<u>\$1,753,000</u>
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This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Tax Court under the rates and mechanism specified in that agreement.

The base appropriation for the Tax Court shall be \$1,288,000 in fiscal year 2018 and \$1,288,000 in fiscal year 2019.

Sec. 7. <u>UNIFORM LAWS COMMISSION</u>	<u>\$88,000</u>	<u>\$93,000</u>
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Sec. 8. <u>BOARD ON JUDICIAL STANDARDS</u>	<u>\$486,000</u>	<u>\$486,000</u>
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Major Disciplinary Actions

\$125,000 each year is for special investigative and hearing costs for major disciplinary actions undertaken by the board. This appropriation does not cancel. Any unencumbered and unspent balances remain available for these expenditures in subsequent fiscal years.

Sec. 9. <u>BOARD OF PUBLIC DEFENSE</u>	<u>\$76,547,000</u>	<u>\$80,499,000</u>
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Sec. 10. <u>SENTENCING GUIDELINES</u>	<u>\$595,000</u>	<u>\$604,000</u>
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Sec. 11. <u>PUBLIC SAFETY</u>		
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Subdivision 1. <u>Total Appropriation</u>	<u>\$191,945,000</u>	<u>\$181,859,000</u>
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Appropriations by Fund

	<u>2016</u>	<u>2017</u>
<u>General</u>	<u>94,618,000</u>	<u>87,502,000</u>
<u>Special Revenue</u>	<u>17,791,000</u>	<u>14,697,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
<u>Environmental</u>	<u>70,000</u>	<u>72,000</u>
<u>Trunk Highway</u>	<u>2,295,000</u>	<u>2,325,000</u>
<u>911 Fund</u>	<u>77,068,000</u>	<u>77,085,000</u>

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Emergency Management6,810,0003,861,000Appropriations by Fund

<u>General</u>	<u>5,331,000</u>	<u>2,480,000</u>
<u>Environmental</u>	<u>70,000</u>	<u>72,000</u>
<u>Special Revenue Fund</u>	<u>1,409,000</u>	<u>1,309,000</u>

(a) Hazmat and Chemical Assessment Teams

\$1,409,000 the first year and \$1,309,000 the second year are from the fire safety account in the special revenue fund. These amounts must be used to fund the hazardous materials and chemical assessment teams.

(b) School Safety

\$405,000 the first year and \$410,000 the second year from the general fund are for the school safety center to provide for school safety.

(c) Combating Terrorism Recruitment

\$25,000 the first year is for the commissioner to develop strategies to combat the recruitment of Minnesota residents by terrorist organizations such as ISIS and al-Shabaab. The commissioner must collaborate with federal, state, and local agencies in developing the required strategies. The commissioner shall prepare a report that explains in detail the strategies proposed and steps to implement the strategies. The commissioner must submit the report to the chairs and ranking minority members of the house and senate committees with jurisdiction over public safety by February 1, 2016.

(d) Disaster Assistance Account

\$2,500,000 in 2016 is for the disaster assistance contingency account in Minnesota Statutes, section 12.221. These funds are available until spent.

Subd. 3. Criminal Apprehension53,619,00049,339,000Appropriations by Fund

<u>General</u>	<u>51,317,000</u>	<u>47,007,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
<u>Trunk Highway</u>	<u>2,295,000</u>	<u>2,325,000</u>

(a) DWI Lab Analysis; Trunk Highway Fund

Notwithstanding Minnesota Statutes, section 161.20, subdivision 3, \$1,941,000 each year is from the trunk highway fund for laboratory analysis related to driving-while-impaired cases.

(b) BCA Investment Initiative

\$2,223,000 the first year and \$2,795,000 the second year are from the general fund for the Bureau of Criminal Apprehension:

- (1) for two permanent latent fingerprint examiner positions;
- (2) for one permanent mitochondrial DNA analyst positions;
- (3) to replace equipment and instruments in the forensic laboratory;
- (4) to purchase supplies for the forensic laboratory;
- (5) for five permanent positions to form a digital forensics examination unit;
- (6) for three permanent positions to form a financial crimes unit; and
- (7) for seven permanent positions to increase the capabilities of the predatory crimes section.

(c) Livescan Replacement

\$650,000 each year is from the general fund for the Bureau of Criminal Apprehension to replace electronic fingerprint capture equipment in criminal justice agencies around the state. The equipment is to be used to automatically submit the fingerprints to the bureau for identification of the person and processing. For each of fiscal years 2018 and 2019, \$650,000 is added to the base for livescan replacement.

(d) Report

If the vehicle services special revenue account accrues an unallocated balance in excess of 50 percent of the previous fiscal year's expenditures, the commissioner of public safety shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over transportation and public safety policy and finance. The report must contain specific policy and legislative recommendations for reducing the fund balance and avoiding future excessive fund balances. The report is due within three months of the fund balance exceeding the threshold established in this paragraph.

<u>Subd. 4. Fire Marshal</u>	<u>15,668,000</u>	<u>12,722,000</u>
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Appropriations by Fund

<u>General</u>	<u>18,000</u>	<u>-0-</u>
<u>Special Revenue</u>	<u>15,650,000</u>	<u>12,722,000</u>

This appropriation is from the fire safety account in the special revenue fund and is for activities under Minnesota Statutes, section 299F.012. Of this amount:

(1) \$4,673,000 the first year and \$3,270,000 the second year are for an increase to the Minnesota Board of Firefighter Training. Of these amounts, \$75,000 each year is onetime spending;

(2) \$2,200,000 the first year and \$1,200,000 the second year are for an increase to Minnesota Task Force 1; and

(3) \$190,000 each year is to fund the Minnesota Air Rescue Team.

Subd. 5. Alcohol and Gambling Enforcement

2,338,000

2,373,000

Appropriations by Fund

<u>General</u>	<u>1,606,000</u>	<u>1,632,000</u>
<u>Special Revenue</u>	<u>732,000</u>	<u>741,000</u>

\$662,000 the first year and \$671,000 the second year are from the alcohol enforcement account in the special revenue fund. Of this appropriation, \$500,000 each year shall be transferred to the general fund.

\$70,000 each year is appropriated from the lawful gambling regulation account in the special revenue fund.

Subd. 6. Office of Justice Programs

36,442,000

36,479,000

Appropriations by Fund

<u>General</u>	<u>36,346,000</u>	<u>36,383,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

(a) OJP Administration Costs

Up to 2.5 percent of the grant funds appropriated in this subdivision may be used by the commissioner to administer the grant program.

(b) Crime Victim Programs

\$1,500,000 each year must be distributed through an open and competitive grant process for existing crime victim programs. The funds must be used to meet the needs of underserved and unserved areas and populations.

(c) **Youth Intervention Programs**

\$1,000,000 each year is for youth intervention programs under Minnesota Statutes, section 299A.73. The appropriations must be used to create new programs statewide in underserved areas and to help existing programs serve unmet needs in program communities. These appropriations are available until expended. This amount must be added to the department's base budget for grants to youth intervention programs.

(d) **Crime Victim Services**

\$50,000 each year is for additional grants to organizations awarded grants in fiscal years 2014 and 2015. These appropriations are available through June 30, 2017.

(e) **Child Advocacy Centers**

\$50,000 each year is for grants to existing child advocacy centers whose primary purposes are (1) to coordinate the investigation, treatment, and management of abuse cases and (2) to provide direct services to abuse victims.

(f) **Prosecutor and Law Enforcement Training**

\$100,000 each year is for a grant to the Minnesota County Attorneys Association for prosecutor and law enforcement training.

(g) **Crime Victim Support**

\$50,000 each year is for a grant to a nonprofit organization dedicated to providing immediate and long-term emotional support and practical help for the families and friends of individuals who have died by suicide, overdose, accident, or homicide, including but not limited to domestic violence.

(h) **Sex Trafficking Investigations**

\$250,000 each year is for grants to state and local units of government for the following purposes:

(1) to support new or existing multijurisdictional entities to investigate sex trafficking crimes; and

(2) to provide technical assistance, including training and case consultation, to law enforcement agencies statewide.

(i) Alternatives to Juvenile Detention

\$50,000 each year is for grants to nonprofit organizations to conduct training, technical support, and peer learning opportunities for counties interested in implementing juvenile detention reform and addressing disparities in the juvenile justice system to accomplish cost-effective interventions that leverage the strength of families and communities. This funding is added to the base.

Subd. 7. Emergency Communication Networks77,068,00077,085,000

This appropriation is from the state government special revenue fund for 911 emergency telecommunications services.

(a) Public Safety Answering Points

\$13,664,000 each year is to be distributed as provided in Minnesota Statutes, section 403.113, subdivision 2.

This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Public Safety under the rates and mechanism specified in that agreement.

(b) Medical Resource Communication Centers

\$683,000 each year is for grants to the Minnesota Emergency Medical Services Regulatory Board for the Metro East and Metro West Medical Resource Communication Centers that were in operation before January 1, 2000.

(c) ARMER Debt Service

\$22,261,000 each year is to the commissioner of management and budget to pay debt service on revenue bonds issued under Minnesota Statutes, section 403.275.

Any portion of this appropriation not needed to pay debt service in a fiscal year may be used by the commissioner of public safety to pay cash for any of the capital improvements for which bond proceeds were appropriated by Laws 2005, chapter 136, article 1, section 9, subdivision 8; or Laws 2007, chapter 54, article 1, section 10, subdivision 8.

(d) ARMER State Backbone Operating Costs

\$9,650,000 each year is to the commissioner of transportation for costs of maintaining and operating the first and third phases of the statewide radio system backbone.

(e) ARMER Improvements

\$1,000,000 each year is to the Statewide Radio Board for costs of design, construction, and maintenance of, and improvements to, those elements of the statewide public safety radio and communication system that support mutual aid communications and emergency medical services or provide interim enhancement of public safety communication interoperability in those areas of the state where the statewide public safety radio and communication system is not yet implemented.

Sec. 12. **PEACE OFFICER STANDARDS AND TRAINING (POST) BOARD**

\$3,987,000**\$4,004,000****(a) Excess Amounts Transferred**

This appropriation is from the peace officer training account in the special revenue fund. Any new receipts credited to that account in the first year in excess of \$3,887,000 must be transferred and credited to the general fund. Any new receipts credited to that account in the second year in excess of \$3,904,000 must be transferred and credited to the general fund.

(b) Peace Officer Training Reimbursements

\$2,734,000 each year is for reimbursements to local governments for peace officer training costs.

(c) De-escalation Training

\$100,000 each year is for training state and local community safety personnel in the use of crisis de-escalation techniques.

Sec. 13. **PRIVATE DETECTIVE BOARD**

\$122,000**\$124,000**

Sec. 14. **CORRECTIONS**

Subdivision 1. **Total Appropriation**

\$526,638,000**\$537,845,000**

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Correctional Institutions381,152,000390,892,000**(a) Informational Technology**

This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Corrections under the rates and mechanism specified in that agreement.

(b) Fugitive Apprehension Unit

\$541,000 in fiscal year 2016 and \$670,000 in fiscal year 2017 are to increase the number of full-time equivalent positions in the department's fugitive apprehension unit. The base for this item is \$642,000 in each of fiscal years 2018 and 2019.

Subd. 3. Community Services120,674,000121,688,000**(a) Intensive Supervised Release Agents**

\$1,000,000 each year is to increase the number of supervision agents for offenders on intensive supervised release as described in Minnesota Statutes, section 244.13, subdivision 2.

(b) Challenge Incarceration

\$250,000 each year is to increase the number of supervision agents for offenders participating in the department's challenge incarceration program as described in Minnesota Statutes, section 244.172, subdivisions 2 and 3.

(c) Community Corrections Act

\$1,550,000 each year is added to the Community Corrections Act subsidy, as described in Minnesota Statutes, section 401.14.

(d) County Probation Officer Reimbursements

\$200,000 each year is added to the county probation officers reimbursement, as described in Minnesota Statutes, section 244.19, subdivision 6.

(e) Scott County Correctional Services

\$85,000 each year is for a probation caseload and workload reduction grant to Scott County to provide correctional services.

Subd. 4. Operations Support24,812,00025,265,000

\$500,000 each year is to support technology needs.

This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Corrections under the rates and mechanism specified in that agreement.

Sec. 15. TRANSFERS\$550,000\$550,000

\$550,000 each year is transferred from the MINNCOR fund to the general fund.

Sec. 16. Laws 2013, chapter 86, article 1, section 7, is amended to read:

Sec. 7. TAX COURT**\$1,023,000****\$1,035,000****(a) Additional Resources**

\$161,000 each year is for ~~two law clerks, continuing legal education costs, and Westlaw costs~~ operating expenses. Any amount not expended in the first year does not cancel and is available in the second year.

(b) Case Management System

\$25,000 each year is for the implementation and maintenance of a modern case management system.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2013.

Sec. 17. Laws 2013, chapter 86, article 1, section 9, is amended to read:

Sec. 9. BOARD ON JUDICIAL STANDARDS**\$756,000****\$456,000****(a) Deficiencies**

\$300,000 the first year is for deficiencies occurring in fiscal year 2013. This appropriation is available for expenditure the day following final enactment.

(b) Major Disciplinary Actions

\$125,000 each year is for special investigative and hearing costs for major disciplinary actions undertaken by the board. This appropriation does not cancel. Any ~~encumbered~~ unencumbered and unspent balances remain available for these expenditures in subsequent fiscal years.

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

ARTICLE 2
COURTS

Section 1. Minnesota Statutes 2014, section 253B.08, subdivision 2a, is amended to read:

Subd. 2a. **Place of hearing.** The hearing shall be conducted in a manner consistent with orderly procedure. The hearing shall be held at a courtroom meeting standards prescribed by local court rule which may be at a treatment facility. The hearing may be conducted by interactive video conference under General Rules of Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

Sec. 2. Minnesota Statutes 2014, section 253B.12, subdivision 2a, is amended to read:

Subd. 2a. **Time and place for hearing.** (a) Unless the proceedings are terminated under subdivision 1, paragraph (e), a review hearing must be held within 14 days after receipt by the committing court of the report required under subdivision 1, paragraph (c) or (d), and before the time the commitment expires. For good cause shown, the court may continue the hearing for up to an additional 14 days and extend any orders until the review hearing is held.

(b) The patient, the patient's counsel, the petitioner, and other persons as the court directs must be given at least five days' notice of the time and place of the hearing. The hearing may be conducted by interactive video conference under General Rules of Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

Sec. 3. Minnesota Statutes 2014, section 253D.28, subdivision 2, is amended to read:

Subd. 2. **Procedure.** (a) The Supreme Court shall refer a petition for rehearing and reconsideration to the chief judge of the judicial appeal panel. The chief judge shall notify the committed person, the county attorneys of the county of commitment and county of financial responsibility, the commissioner, the executive director, any interested person, and other persons the chief judge designates, of the time and place of the hearing on the petition. The notice shall be given at least 14 days prior to the date of the hearing. The hearing may be conducted by interactive video conference under General Rules of Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

(b) Any person may oppose the petition. The committed person, the committed person's counsel, the county attorneys of the committing county and county of financial responsibility, and the commissioner shall participate as parties to the proceeding pending before the judicial appeal panel and shall, no later than 20 days before the hearing on the petition, inform the judicial appeal panel and the opposing party in writing whether they support or oppose the petition and provide a summary of facts in support of their position.

(c) The judicial appeal panel may appoint examiners and may adjourn the hearing from time to time. It shall hear and receive all relevant testimony and evidence and make a record of all proceedings. The committed person, the committed person's counsel, and the county attorney of the committing county or the county of financial responsibility have the right to be present and may present and cross-examine all witnesses and offer a factual and legal basis in support of their positions.

(d) The petitioning party seeking discharge or provisional discharge bears the burden of going forward with the evidence, which means presenting a prima facie case with competent evidence to show that the person is entitled to the requested relief. If the petitioning party has met this burden, the party opposing discharge or provisional discharge bears the burden of proof by clear and convincing evidence that the discharge or provisional discharge should be denied.

(e) A party seeking transfer under section 253D.29 must establish by a preponderance of the evidence that the transfer is appropriate.

Sec. 4. Minnesota Statutes 2014, section 271.08, subdivision 1, is amended to read:

Subdivision 1. **Written order.** The Tax Court, except in Small Claims Division, shall determine every appeal by written order containing findings of fact and the decision of the tax court. A memorandum of the grounds of the decision shall be appended. Notice of the entry of the order and of the substance of the decision shall be mailed to all parties. A motion for rehearing, which includes a motion for amended findings of fact, conclusions of law, or a new trial, must be served by the moving party within ~~15~~ 30 days after mailing of the notice by the court as specified in this subdivision, and the motion must be heard within ~~30~~ 60 days thereafter, unless the time for hearing is extended by the court within the ~~30-day~~ 60-day period for good cause shown.

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

Sec. 5. Minnesota Statutes 2014, section 271.21, subdivision 2, is amended to read:

Subd. 2. **Jurisdiction.** At the election of the taxpayer, the Small Claims Division shall have jurisdiction only in the following matters:

(a) cases involving valuation, assessment, or taxation of real or personal property, if:

(i) the issue is a denial of a current year application for the homestead classification for the taxpayer's property;

(ii) only one parcel is included in the petition, the entire parcel is classified as homestead class 1a or 1b under section 273.13, and the parcel contains no more than one dwelling unit;

(iii) the entire property is classified as agricultural homestead class 2a or 1b under section 273.13; or

(iv) the assessor's estimated market value of the property included in the petition is less than \$300,000; or

(b) any case not involving valuation, assessment, or taxation of real and personal property in which the amount in controversy does not exceed ~~\$5,000~~ \$15,000, including penalty and interest.

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

Sec. 6. Minnesota Statutes 2014, section 486.10, subdivision 2, is amended to read:

Subd. 2. **Disclosure; court reporter requirements; objections.** (a) The existence of a contract or an exclusive agreement with a court reporter or court reporting firm for court reporting services must be disclosed as provided by this paragraph. Written notice of a contract or agreement must be included in the notice of taking deposition or the notice of legal proceeding before commencement of a legal proceeding at which court reporting services are being provided. Oral disclosure of a contract or agreement must be made on the record by the court reporter at the commencement of the legal proceeding.

(b) A freelance court reporter or court reporting firm:

(1) shall treat all parties to an action equally, providing comparable services to all parties;

(2) shall charge the same rate for copies of the same transcript to all parties according to Minnesota Rules of Civil Procedure, rule 30.06;

~~(2)~~ (3) may not act as an advocate for any party or act partially to any party to an action; and

~~(3)~~ (4) shall comply with all state and federal court rules that govern the activities of court reporters.

(c) An attorney shall state the reason for the objection to the provision of court reporting services by a freelance court reporter or court reporting firm and shall note the objection and the reason on the record.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to legal proceedings commencing on or after that date.

Sec. 7. Minnesota Statutes 2014, section 486.10, subdivision 3, is amended to read:

Subd. 3. **Remedies.** ~~Through objection by a party to the proceedings and~~ upon the court's or presiding officer's ~~learning determination~~ of a violation of subdivision 2, paragraph (a), the court or presiding officer may: ~~(1) declare that the record for which the court reporting services were provided is void and may order that the legal proceeding be reconducted; or (2) impose sanctions against the party violating subdivision 2, paragraph (a), including civil contempt of court, costs, and reasonable attorney fees resulting from the violation. If the legal proceedings are reconducted, the parties who violate~~ violated subdivision 2, paragraph (a), are jointly and severally liable for costs associated with reconducting the legal proceeding and preparing the new record. Costs include, but are not limited to, attorney, witness, and freelance court reporter appearance and transcript fees.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to legal proceedings commencing on or after that date.

Sec. 8. Minnesota Statutes 2014, section 549.09, subdivision 1, is amended to read:

Subdivision 1. **When owed; rate.** (a) When a judgment or award is for the recovery of money, including a judgment for the recovery of taxes, interest from the time of the verdict, award, or report until judgment is finally entered shall be computed by the court administrator or arbitrator as provided in paragraph (c) and added to the judgment or award.

(b) Except as otherwise provided by contract or allowed by law, preverdict, preaward, or prereport interest on pecuniary damages shall be computed as provided in paragraph (c), clause (1), regardless of the amount, from the time of the commencement of the action or a demand for arbitration, or the time of a written notice of claim, whichever occurs first, except as provided herein. The action must be commenced within two years of a written notice of claim for interest to begin to accrue from the time of the notice of claim. If either party serves a written offer of settlement, the other party may serve a written acceptance or a written counteroffer within 30 days. After that time, interest on the judgment or award shall be calculated by the judge or arbitrator in the following manner. The prevailing party shall receive interest on any judgment or award from the time of commencement of the action or a demand for arbitration, or the time of a written notice of claim, or as to special damages from the time when special damages were incurred, if later, until the time of verdict, award, or report only if the amount of its offer is closer to the judgment or award than the amount of the opposing party's offer. If the amount of the losing party's offer was closer to the judgment or award than the prevailing party's offer, the prevailing party shall receive interest only on the amount of the settlement offer or the judgment or award, whichever is less, and only from the time of commencement of the action or a demand for arbitration, or the time of a written notice of claim, or as to special damages from when the special damages were incurred, if later, until the time the settlement offer was made. Subsequent offers and counteroffers supersede the legal effect of earlier offers and counteroffers. For the purposes of clause (2), the amount of settlement offer must be allocated between past and future damages in the same proportion as determined by the trier of fact. Except as otherwise provided by contract or allowed by law, preverdict, preaward, or prereport interest shall not be awarded on the following:

(1) judgments, awards, or benefits in workers' compensation cases, but not including third-party actions;

- (2) judgments or awards for future damages;
- (3) punitive damages, fines, or other damages that are noncompensatory in nature;
- (4) judgments or awards not in excess of the amount specified in section 491A.01; and

(5) that portion of any verdict, award, or report which is founded upon interest, or costs, disbursements, attorney fees, or other similar items added by the court or arbitrator.

(c)(1) For a judgment or award of \$50,000 or less or a judgment or award for or against the state or a political subdivision of the state, regardless of the amount, the interest shall be computed as simple interest per annum. The rate of interest shall be based on the secondary market yield of one year United States Treasury bills, calculated on a bank discount basis as provided in this section.

On or before the 20th day of December of each year the state court administrator shall determine the rate from the one-year constant maturity treasury yield for the most recent calendar month, reported on a monthly basis in the latest statistical release of the board of governors of the Federal Reserve System. This yield, rounded to the nearest one percent, or four percent, whichever is greater, shall be the annual interest rate during the succeeding calendar year. The state court administrator shall communicate the interest rates to the court administrators and sheriffs for use in computing the interest on verdicts and shall make the interest rates available to arbitrators.

This clause applies to any section that references section 549.09 by citation for the purposes of computing an interest rate on any amount owed to or by the state or a political subdivision of the state, regardless of the amount.

(2) For a judgment or award over \$50,000, other than a judgment or award for or against the state or a political subdivision of the state, the interest rate shall be ten percent per year until paid.

(3) When a judgment creditor, or the judgment creditor's attorney or agent, has received a payment after entry of judgment, whether the payment is made voluntarily by or on behalf of the judgment debtor, or is collected by legal process other than execution levy where a proper return has been filed with the court administrator, the judgment creditor, or the judgment creditor's attorney, before applying to the court administrator for an execution shall file with the court administrator an affidavit of partial satisfaction. The affidavit must state the dates and amounts of payments made upon the judgment after the most recent affidavit of partial satisfaction filed, if any; the part of each payment that is applied to taxable disbursements and to accrued interest and to the unpaid principal balance of the judgment; and the accrued, but the unpaid interest owing, if any, after application of each payment.

(d) This section does not apply to arbitrations between employers and employees under chapter 179 or 179A. An arbitrator is neither required to nor prohibited from awarding interest under chapter 179 or under section 179A.16 for essential employees.

(e) For purposes of this subdivision:

(1) "state" includes a department, board, agency, commission, court, or other entity in the executive, legislative, or judicial branch of the state; and

(2) "political subdivision" includes a town, statutory or home rule charter city, county, school district, or any other political subdivision of the state.

(f) This section does not apply to a judgment or award upon which interest is entitled to be recovered under section 60A.0811.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to judgments and awards entered on or after that date.

ARTICLE 3
PUBLIC SAFETY

Section 1. Minnesota Statutes 2014, section 5B.11, is amended to read:

5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.

If a program participant is involved in a legal proceeding as a party or witness, If a program participant's address is protected under section 5B.05, no person or entity shall be compelled to disclose the participant's actual address during the discovery phase of or during a proceeding before a court or other tribunal unless the court or tribunal finds that:

(1) there is a reasonable belief that the address is needed to obtain information or evidence without which the investigation, prosecution, or litigation cannot proceed; and

(2) there is no other practicable way of obtaining the information or evidence.

The court must provide the program participant with notice that address disclosure is sought and an opportunity to present evidence regarding the potential harm to the safety of the program participant if the address is disclosed. In determining whether to compel disclosure, the court must consider whether the potential harm to the safety of the participant is outweighed by the interest in disclosure. In a criminal proceeding, the court must order disclosure of a program participant's address if protecting the address would violate a defendant's constitutional right to confront a witness.

Disclosure of a participant's actual address under this section shall be limited under the terms of the order to ensure that the disclosure and dissemination of the actual address will be no wider than necessary for the purposes of the investigation, prosecution, or litigation.

Nothing in this section prevents the court or other tribunal ~~may issue~~ from issuing a protective order to prevent disclosure of information other than the participant's actual address that could reasonably lead to the discovery of the program participant's location.

Sec. 2. Minnesota Statutes 2014, section 13.03, subdivision 6, is amended to read:

Subd. 6. **Discoverability of not public data.** If a government entity opposes discovery of government data or release of data pursuant to court order on the grounds that the data are classified as not public, the party that seeks access to the data may bring before the appropriate presiding judicial officer, arbitrator, or administrative law judge an action to compel discovery or an action in the nature of an action to compel discovery.

The presiding officer shall first decide whether the data are discoverable or releasable pursuant to the rules of evidence and of criminal, civil, or administrative procedure appropriate to the action.

If the data are discoverable the presiding officer shall decide whether the benefit to the party seeking access to the data outweighs any harm to the confidentiality interests of the entity maintaining the data, or of any person who has provided the data or who is the subject of the data, or to the privacy interest of an individual identified in the data. In making the decision, the presiding officer shall consider whether notice to the subject of the data is warranted and, if warranted, what type of notice must be given. The presiding officer may fashion and issue any protective orders necessary to assure proper handling of the data by the parties. If the data are a videotape of a child victim or alleged victim alleging, explaining, denying, or describing an act of physical or sexual abuse, the presiding officer shall consider the provisions of section 611A.90, subdivision 2, paragraph (b). If the data are data subject to the protections under chapter 5B or section 13.045, the presiding officer shall consider the provisions of section 5B.11.

Sec. 3. Minnesota Statutes 2014, section 168A.1501, subdivision 1, is amended to read:

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

(b) "Law enforcement agency" or "agency" means a duly authorized municipal, county, state, or federal law enforcement agency.

(c) "Person" means an individual, partnership, limited partnership, limited liability company, corporation, or other entity.

(d) "Scrap vehicle" means a motor vehicle purchased primarily as scrap, for its reuse or recycling value as raw metal, or for dismantling for parts.

(e) "Scrap vehicle operator" or "operator" means the following persons who engage in a transaction involving the purchase or acquisition of a scrap vehicle: scrap metal processors licensed under section 168.27, subdivision 1a, paragraph (c); used vehicle parts dealers licensed under section 168.27, subdivision 1a, paragraph (d); scrap metal dealers under section 325E.21; and junk yards under section 471.925.

(f) ~~"Interchange file specification format" means the most recent version of the Minneapolis automated property system interchange file specification format.~~

~~(g)~~ "Motor vehicle" has the meaning given in section 169.011, subdivision 42.

~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification card number, or other identification document issued for identification purposes by any state, federal, or foreign government if the document includes the person's photograph, full name, birth date, and signature.

(i) (h) "Seller" means any seller, prospective seller, or agent of the seller.

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

Sec. 4. Minnesota Statutes 2014, section 168A.1501, subdivision 6, is amended to read:

Subd. 6. **Additional reporting.** ~~In addition to the requirements under subdivision 5 if applicable,~~ The following entities must submit information on the purchase or acquisition of a scrap vehicle to the National Motor Vehicle Title Information System, established pursuant to United States Code, title 49, section 30502, by the close of business the following day:

(1) an operator who is not licensed under section 168.27; and

(2) an operator who purchases a scrap vehicle under subdivision 9.

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

Sec. 5. Minnesota Statutes 2014, section 299A.73, subdivision 2, is amended to read:

Subd. 2. **Applications.** Applications for a grant-in-aid shall be made by the administering agency to the commissioner.

The grant-in-aid is contingent upon the agency having obtained from the community in which the youth intervention program is established local matching money ~~two times equal to~~ the amount of the grant that is sought. The matching requirement is intended to leverage the investment of state and community dollars in supporting the efforts of the grantees to provide early intervention services to youth and their families.

The commissioner shall provide the application form, procedures for making application form, criteria for review of the application, and kinds of contributions in addition to cash that qualify as local matching money. No grant to any agency may exceed ~~\$50,000~~ \$75,000.

Sec. 6. Minnesota Statutes 2014, section 299C.35, is amended to read:

299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.

It shall be the duty of the bureau to broadcast all police dispatches and reports submitted which, in the opinion of the superintendent, shall have a reasonable relation to or connection with the apprehension of criminals, the prevention of crime, and the maintenance of peace and order throughout the state. Every sheriff, peace officer, or other person ~~employing a radio receiving set under the provisions of sections 299C.30 to 299C.38~~ shall make ~~report~~ reports to the bureau at such times and containing such information as the superintendent shall direct.

Sec. 7. Minnesota Statutes 2014, section 299C.38, is amended to read:

299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.

~~Any telegraph or telephone operator who shall fail to give priority to police messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who willfully makes any false, misleading, or unfounded report to any ~~broadcasting station established thereunder~~ public safety answering point for the purpose of interfering with the operation thereof, or with the intention of misleading any officer of this state, shall be guilty of a misdemeanor.

Sec. 8. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46 ~~to 299C.49~~ and 299C.48, "criminal justice agency" means an agency of the state or a political subdivision or the federal government charged with detection, enforcement, prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this state. This definition also includes all sites identified and licensed as a detention facility by the commissioner of corrections under section 241.021 and those federal agencies that serve part or all of the state from an office located outside the state.

Sec. 9. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections 299C.46 ~~to 299C.49~~ and 299C.48, "noncriminal justice agency" means an agency of the state or a political subdivision of the state charged with the responsibility of performing checks of state databases connected to the criminal justice data communications network.

Sec. 10. **[299C.75] BACKGROUND CHECKS; INDIAN TRIBES.**

(a) When requested by a law enforcement agency of an Indian tribe with a reservation in the state, the superintendent shall perform a criminal history background check on a person seeking a license, employment, public housing, candidacy for tribal election, or other purpose as required under tribal law and in accordance with federal law. When requested by the law enforcement agency of the Indian tribe, the superintendent shall exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history background check. The superintendent shall recover the cost of a background check under this section through a fee charged to the Indian tribe.

(b) For purposes of this section, "Indian tribe" means a tribe, band, nation, or other federally recognized group or community of Indians.

(c) If any provision of this section is determined to be in conflict with respect to a tribal state gaming compact of an Indian tribe requesting a background check under this section, the compact provision shall prevail.

Sec. 11. Minnesota Statutes 2014, section 325E.21, subdivision 1, is amended to read:

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

(b) "Law enforcement agency" or "agency" means a duly authorized municipal, county, state, or federal law enforcement agency.

(c) "Person" means an individual, partnership, limited partnership, limited liability company, corporation, or other entity.

(d) "Scrap metal" means:

(1) wire and cable commonly and customarily used by communication and electric utilities; and

(2) copper, aluminum, or any other metal purchased primarily for its reuse or recycling value as raw metal, including metal that is combined with other materials at the time of purchase, but does not include a scrap vehicle as defined in section 168A.1501, subdivision 1.

(e) "Scrap metal dealer" or "dealer" means a person engaged in the business of buying or selling scrap metal, or both.

The terms do not include a person engaged exclusively in the business of buying or selling new or used motor vehicles, paper or wood products, rags or furniture, or secondhand machinery.

~~(f) "Interchange file specification format" means the most recent version of the Minneapolis automated property system interchange file specification format.~~

~~(g)~~ "Seller" means any seller, prospective seller, or agent of the seller.

~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification card number, or other identification document issued for identification purposes by any state, federal, or foreign government if the document includes the person's photograph, full name, birth date, and signature.

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

Sec. 12. Minnesota Statutes 2014, section 325E.21, subdivision 2, is amended to read:

Subd. 2. **Retention required.** Records required to be maintained by subdivision 1a or 1b shall be retained by the scrap metal dealer for a period of three years.

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

Sec. 13. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

Subd. 10. **Member.** "Member" means:

(1) a State Patrol member currently employed under section 299D.03 by the state, who is a peace officer under section 626.84, and whose salary or compensation is paid out of state funds;

(2) a conservation officer employed under section 97A.201, currently employed by the state, whose salary or compensation is paid out of state funds;

(3) a crime bureau officer who was employed by the crime bureau and was a member of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person has the power of arrest by warrant after that date, or who is employed as police personnel, with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and who is currently employed by the state, and whose salary or compensation is paid out of state funds;

(4) a person who is employed by the state in the Department of Public Safety in a data processing management position with salary or compensation paid from state funds, who was a crime bureau officer covered by the State Patrol retirement plan on August 15, 1987, and who was initially hired in the data processing management position within the department during September 1987, or January 1988, with membership continuing for the duration of the person's employment in that position, whether or not the person has the power of arrest by warrant after August 15, 1987;

(5) a public safety employee who is a peace officer under section 626.84, subdivision 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling Enforcement under section 299L.01;

(6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed by the Office of Special Investigations of the Department of Corrections and who is a peace officer under section 626.84;

(7) an employee of the Department of Commerce defined as a peace officer in section 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau under section 45.0135 after January 1, 2005, and who has not attained the mandatory retirement age specified in section 43A.34, subdivision 4; and

(8) an employee of the Department of Public Safety, who is a licensed peace officer under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide coordinator of the Violent Crime Coordinating Council.

Sec. 14. Minnesota Statutes 2014, section 609.66, subdivision 1g, is amended to read:

Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a) A person who commits either of the following acts is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both:

(1) possesses a dangerous weapon, ammunition, or explosives within any courthouse complex; or

(2) possesses a dangerous weapon, ammunition, or explosives in any state building within the Capitol Area described in chapter 15B, other than the National Guard Armory.

(b) Unless a person is otherwise prohibited or restricted by other law to possess a dangerous weapon, this subdivision does not apply to:

- (1) licensed peace officers or military personnel who are performing official duties;
- (2) persons who carry pistols according to the terms of a permit issued under section 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;
- (3) persons who possess dangerous weapons for the purpose of display as demonstrative evidence during testimony at a trial or hearing or exhibition in compliance with advance notice and safety guidelines set by the sheriff or the commissioner of public safety; or
- (4) persons who possess dangerous weapons in a courthouse complex with the express consent of the county sheriff or who possess dangerous weapons in a state building with the express consent of the commissioner of public safety.

(c) For purposes of this subdivision, the issuance of a permit to carry under section 624.714 constitutes notification of the commissioner of public safety as required under paragraph (b), clause (2).

Sec. 15. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35, the following terms have the meanings given.

Sec. 16. Minnesota Statutes 2014, section 611A.33, is amended to read:

611A.33 DUTIES OF COMMISSIONER. The commissioner shall:

- (1) review applications for and award grants to a program pursuant to section 611A.32, subdivision 1;
- (2) appoint a program director to perform the duties set forth in section 611A.35;
- (3) design and implement a uniform method of collecting data on domestic abuse victims to be used to evaluate the programs funded under section 611A.32;
- (4) provide technical aid to applicants in the development of grant requests and provide technical aid to programs in meeting the data collection requirements established by the commissioner; and
- (5) adopt, under chapter 14, all rules necessary to implement the provisions of sections 611A.31 to ~~611A.36~~ 611A.35.

Sec. 17. Minnesota Statutes 2014, section 611A.35, is amended to read:

611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR. The commissioner shall appoint a program director. The program director shall administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform other duties related to battered women's and domestic abuse programs as the commissioner may assign. The program director shall serve at the pleasure of the commissioner in the unclassified service.

Sec. 18. Minnesota Statutes 2014, section 624.71, is amended to read:

624.71 GUN CONTROL; APPLICATION OF FEDERAL LAW.

Subdivision 1. **Application.** Notwithstanding any other law to the contrary, it shall be lawful for any federally licensed importer, manufacturer, dealer, or collector to sell and deliver firearms and ammunition to a resident of a ~~contiguous~~ any state in any instance where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

Subd. 2. **Contiguous Other state purchases.** Notwithstanding any other law to the contrary, it shall be lawful for a resident of Minnesota to purchase firearms and ammunition in a ~~contiguous~~ any state in any instance where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

Sec. 19. Minnesota Statutes 2014, section 624.714, subdivision 16, is amended to read:

Subd. 16. **Recognition of permits from other states.** (a) The commissioner must annually establish and publish a list of other states that have laws governing the issuance of permits to carry weapons that are not ~~substantially~~ similar to this section. The list must be available on the Internet. A person holding a carry permit from a state not on the list may use the license or permit in this state subject to the rights, privileges, and requirements of this section.

(b) Notwithstanding paragraph (a), no license or permit from another state is valid in this state if the holder is or becomes prohibited by law from possessing a firearm.

(c) Any sheriff or police chief may file a petition under subdivision 12 seeking an order suspending or revoking an out-of-state permit holder's authority to carry a pistol in this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision 12. If the court denies the petition, the court must award the permit holder reasonable costs and expenses including attorney fees. The petition may be filed in any county in the state where a person holding a license or permit from another state can be found.

(d) The commissioner must, when necessary, execute reciprocity agreements regarding carry permits with jurisdictions whose carry permits are recognized under paragraph (a).

Sec. 20. **[624.7192] AUTHORITY TO SEIZE AND CONFISCATE FIREARMS.**

(a) This section applies only during the effective period of a state of emergency proclaimed by the governor relating to a public disorder or disaster.

(b) A peace officer who is acting in the lawful discharge of the officer's official duties without a warrant may disarm a lawfully detained individual only temporarily and only if the officer reasonably believes it is immediately necessary for the protection of the officer or another individual. Before releasing the individual, the peace officer must return to the individual any seized firearms and ammunition, and components thereof, any firearms accessories and ammunition reloading equipment and supplies, and any other personal weapons taken from the individual, unless the officer: (1) takes the individual into physical custody for engaging in criminal activity or for observation pursuant to section 253B.05, subdivision 2; or (2) seizes the items as evidence pursuant to an investigation for the commission of the crime for which the individual was arrested.

(c) Notwithstanding any other law to the contrary, no governmental unit, government official, government employee, peace officer, or other person or body acting under governmental authority or color of law may undertake any of the following actions with regard to any firearms and ammunition, and components thereof; any firearms accessories and ammunition reloading equipment and supplies; and any other personal weapons:

(1) prohibit, regulate, or curtail the otherwise lawful possession, carrying, transportation, transfer, defensive use, or other lawful use of any of these items;

(2) seize, commandeer, or confiscate any of these items in any manner, except as expressly authorized in paragraph (b);

(3) suspend or revoke a valid permit issued pursuant to section 624.7131 or 624.714, except as expressly authorized in those sections; or

(4) close or limit the operating hours of businesses that lawfully sell or service any of these items, unless such closing or limitation of hours applies equally to all forms of commerce.

(d) No provision of law relating to a public disorder or disaster emergency proclamation by the governor or any other governmental or quasi-governmental official, including but not limited to emergency management powers pursuant to chapters 9 and 12, shall be construed as authorizing the governor or any other governmental or quasi-governmental official of this state or any of its political subdivisions acting at the direction of the governor or another official to act in violation of this paragraph or paragraphs (b) and (c).

(e)(1) An individual aggrieved by a violation of this section may seek relief in an action at law or in equity or in any other proper proceeding for damages, injunctive relief, or other appropriate redress against a person who commits or causes the commission of this violation. Venue must be in the district court having jurisdiction over the county in which the aggrieved individual resides or in which the violation occurred.

(2) In addition to any other remedy available at law or in equity, an individual aggrieved by the seizure or confiscation of an item listed in paragraph (c) in violation of this section may make application for the immediate return of the items to the office of the clerk of court for the county in which the items were seized and, except as provided in paragraph (b), the court must order the immediate return of the items by the seizing or confiscating governmental office and that office's employed officials.

(3) In an action or proceeding to enforce this section, the court must award the prevailing plaintiff reasonable court costs and expenses, including attorney fees.

EFFECTIVE DATE. This section is effective August 1, 2015.

Sec. 21. **STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

(a) As used in this section, the following terms have the meanings provided:

(1) "bureau" means the state Bureau of Criminal Apprehension;

(2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section 299C.157, subdivision 1, clause (2);

(3) "rape kit" means a sexual assault examination kit;

(4) "superintendent" means the superintendent of the bureau;

(5) "untested rape kit" means a rape kit that has not been submitted to the bureau for DNA analysis but has been cleared for testing through the written consent of the victim; and

(6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01, paragraph (b).

(b) By August 1, 2015, the director of the bureau's forensic science division, each executive director of a publicly funded forensic laboratory that tests rape kits, and each sheriff and chief of police must prepare and submit a written report to the superintendent that identifies the number of untested rape kits in the possession of the official's agency or department. The report must be in a form prescribed by the superintendent. At a minimum, each untested rape kit must be identified in the report by the date the evidence was collected and reasons why each untested rape kit was not tested. This report applies only to untested rape kits collected prior to July 1, 2015.

(c) By December 1, 2015, the superintendent must submit a report to the majority leader of the senate, the speaker of the house, and the Office of the Attorney General identifying, by agency and date collected, each untested rape kit disclosed in the reports required by paragraph (b). The report must also provide a detailed plan to resolve any backlog of untested rape kits held by the bureau and other agencies or departments.

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

Sec. 22. **REPEALER.**

(a) Minnesota Statutes 2014, sections 168A.1501, subdivisions 5 and 5a; 299C.36; and 325E.21, subdivisions 1c and 1d, are repealed.

(b) Laws 2014, chapter 190, sections 10; and 11, are repealed.

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

ARTICLE 4 FIREFIGHTERS

Section 1. Minnesota Statutes 2014, section 181.06, subdivision 2, is amended to read:

Subd. 2. **Payroll deductions.** A written contract may be entered into between an employer and an employee wherein the employee authorizes the employer to make payroll deductions for the purpose of paying union dues, premiums of any life insurance, hospitalization and surgical insurance, group accident and health insurance, group term life insurance, group annuities or contributions to credit unions or a community chest fund, a local arts council, a local science council or a local arts and science council, or Minnesota benefit association, a federally or state registered political action committee, membership dues of a relief association governed by sections 424A.091 to 424A.096 or Laws 2013, chapter 111, article 5, sections 31 to 42, or participation in any employee stock purchase plan or savings plan for periods longer than 60 days, including gopher state bonds established under section 16A.645.

EFFECTIVE DATE. This section is effective August 1, 2015.

Sec. 2. Minnesota Statutes 2014, section 181.101, is amended to read:

181.101 WAGES; HOW OFTEN PAID.

(a) Except as provided in paragraph (b), every employer must pay all wages earned by an employee at least once every 31 days on a regular payday designated in advance by the employer regardless of whether the employee requests payment at longer intervals. Unless paid earlier, the wages earned during the first half of the first 31-day

pay period become due on the first regular payday following the first day of work. If wages earned are not paid, the commissioner of labor and industry or the commissioner's representative may demand payment on behalf of an employee. If payment is not made within ten days of demand, the commissioner may charge and collect the wages earned and a penalty in the amount of the employee's average daily earnings at the rate agreed upon in the contract of employment, not exceeding 15 days in all, for each day beyond the ten-day limit following the demand. Money collected by the commissioner must be paid to the employee concerned. This section does not prevent an employee from prosecuting a claim for wages. This section does not prevent a school district, other public school entity, or other school, as defined under section 120A.22, from paying any wages earned by its employees during a school year on regular paydays in the manner provided by an applicable contract or collective bargaining agreement, or a personnel policy adopted by the governing board. For purposes of this section, "employee" includes a person who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of this section, wages are earned on the day an employee works.

(b) An employer of a volunteer firefighter, as defined in section 424A.001, subdivision 10, a member of an organized first responder squad that is formally recognized by a political subdivision in the state, or a volunteer ambulance driver or attendant must pay all wages earned by the volunteer firefighter, first responder, or volunteer ambulance driver or attendant at least once every 31 days, unless the employer and the employee mutually agree upon payment at longer intervals.

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

Sec. 3. Minnesota Statutes 2014, section 299F.012, subdivision 1, is amended to read:

Subdivision 1. **Authorized programs within department.** From the revenues appropriated from the fire safety account, established under section 297I.06, subdivision 3, the commissioner of public safety may expend funds for the activities and programs identified by the advisory committee established under subdivision 2 and recommended to the commissioner of public safety. The commissioner shall not expend funds without the recommendation of the advisory committee established under subdivision 2. These funds are to be used to provide resources needed for identified activities and programs of the Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are fulfilled. Any balance remaining in the account after the first year of the biennium must be appropriated to the commissioner of public safety for the purposes specified in law.

Sec. 4. Minnesota Statutes 2014, section 299N.02, subdivision 2, is amended to read:

Subd. 2. **Terms; chair; compensation.** Members of the board shall serve for terms of four years and ~~annually~~ elect a chair from among the members. Terms and filling of vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without compensation.

Sec. 5. Minnesota Statutes 2014, section 299N.03, subdivision 5, is amended to read:

Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is employed and charged with the prevention and suppression of fires within the boundaries of the state on a full-time, salaried basis and who is directly engaged in the hazards of firefighting or is in charge of a designated fire company or companies that are directly engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer, part-time, ~~or paid,~~ ~~on-call~~ paid-on-call firefighter.

Sec. 6. Minnesota Statutes 2014, section 299N.03, subdivision 6, is amended to read:

Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter, to include a fire department employee, member, supervisor, or appointed official, who is licensed by the board and ~~who is~~ charged with the prevention or suppression of fires within the boundaries of the state. Licensed firefighter may also include a volunteer firefighter.

Sec. 7. Minnesota Statutes 2014, section 299N.03, subdivision 7, is amended to read:

Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is charged with the prevention or suppression of fires within the boundaries of the state on a volunteer, part-time, or ~~paid, on-call~~ paid-on-call basis. Volunteer firefighter does not include a full-time firefighter.

Sec. 8. Minnesota Statutes 2014, section 299N.04, subdivision 3, is amended to read:

Subd. 3. **Certain baccalaureate or associate degree holders eligible to take certification examination.** A person with a baccalaureate degree, or ~~with~~ an associate degree in applied fire science technology, from an accredited college or university, who has successfully completed the skills-oriented basic training course under subdivision 2, clause (2), is eligible to take the firefighter certification examination notwithstanding the requirements of subdivision 2, clause (1).

Sec. 9. Minnesota Statutes 2014, section 299N.05, subdivision 1, is amended to read:

Subdivision 1. **Licensure requirement.** A ~~full-time~~ firefighter employed ~~on or after July 1, 2011,~~ full time by a fire department is not eligible for permanent employment without being licensed ~~as a firefighter~~ by the board.

Sec. 10. Minnesota Statutes 2014, section 299N.05, subdivision 5, is amended to read:

Subd. 5. ~~**Issuance of Obtaining a firefighter license.** The board shall license any individual who meets the requirements of subdivision 3 or 4. To obtain a license, a firefighter must complete the board application process and meet the requirements of section 299N.04. A license is valid for three years from the date of issuance a three-year period determined by the board, and the fee for the license is \$75. Fees under this subdivision may be prorated by the board for licenses issued within a three-year licensure period.~~

Sec. 11. Minnesota Statutes 2014, section 299N.05, subdivision 6, is amended to read:

Subd. 6. **License renewal; expiration and reinstatement.** (a) A license shall be renewed so long as the firefighter and the chief firefighting officer provide evidence to the board that the licensed firefighter has had ~~at least~~ 72 hours of approved firefighting training in the ~~previous three-year period preceding three years and the firefighter completes the renewal application.~~ The fee for renewing a firefighter license is \$75, and the license is valid for an additional three years.

(b) If a license expires, a firefighter may apply to have it reinstated. In order to receive reinstatement, the firefighter must:

- (1) complete a reinstatement application;
- (2) satisfy all prior firefighter training requirements;
- (3) pay any outstanding renewal fees; and
- (4) pay the delayed renewal fee set by the board.

(c) In lieu of a reinstatement application under paragraph (b), a firefighter may complete a new application for licensure under section 299N.04.

Sec. 12. Minnesota Statutes 2014, section 299N.05, subdivision 7, is amended to read:

Subd. 7. **Duties of chief firefighting officer.** ~~(a) It shall be the duty of Every chief firefighting officer~~ has a duty to ensure that all every full-time firefighters have firefighter has a license from issued by the board beginning July 1, 2011. Each full-time firefighter, volunteer firefighter, and chief firefighting officer may apply for licensure after January 1, 2011.

(b) Every chief firefighting officer, provider, and individual licensee has a duty to ensure proper training records and reports are retained. Records must include, for the three-year period subsequent to the license renewal date:

(1) the dates, subjects, and duration of programs;

(2) sponsoring organizations;

(3) fire training hours earned;

(4) registration receipts to prove attendance at training sessions; and

(5) other pertinent information.

(c) The board may require a licensee, provider, or fire department to provide the information under paragraph (b) to demonstrate compliance with the 72-hour firefighting training requirement under subdivision 6, paragraph (a).

Sec. 13. Minnesota Statutes 2014, section 299N.05, subdivision 8, is amended to read:

Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend, or deny a license issued or applied for under this section to a firefighter or applicant if the firefighter or applicant has been convicted of any arson-related charge or a felony recognized by the board as a crime that would disqualify the licensee from participating in the profession of firefighting.

(b) Each applicant, licensee, or fire department must notify the board, in writing, within ten days if the applicant or licensee has been convicted of or pled guilty or nolo contendere to a felony, any arson-related charge, or another offense arising from the same set of circumstances.

Sec. 14. **[299N.06] ELIGIBILITY FOR RECIPROCITY EXAMINATION BASED ON RELEVANT MILITARY EXPERIENCE.**

(a) For purposes of this section:

(1) "active service" has the meaning given in section 190.05, subdivision 5; and

(2) "relevant military experience" means:

(i) four years' cumulative service experience in a military firefighting occupational specialty;

(ii) two years' cumulative service experience in a military firefighting occupational specialty, and completion of at least a two-year degree from a regionally accredited postsecondary education institution; or

(iii) four years' cumulative experience as a full-time firefighter in another state combined with cumulative service experience in a military firefighting occupational specialty.

(b) A person is eligible to take the reciprocity examination and does not have to otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the person has:

(1) relevant military experience; and

(2) been honorably discharged from military active service as evidenced by the most recent form DD-214 or is currently in active service, as evidenced by:

(i) active duty orders providing service time in a military firefighting specialty;

(ii) a United States Department of Defense Manpower Data Center status report pursuant to the Service Members Civil Relief Act, active duty status report; or

(iii) Military Personnel Center assignment information.

(c) A person who passed the examination under paragraph (b), clause (2), shall not be eligible to be licensed as a firefighter until honorably discharged as evidenced by the most recent form DD-214.

(d) To receive a firefighter license, a person who passed the reciprocity certification examination must meet the requirements of section 299N.05, subdivision 4.

Sec. 15. **REPEALER.**

Minnesota Statutes 2014, section 299N.05, subdivision 3, is repealed.

ARTICLE 5
CORRECTIONS

Section 1. Minnesota Statutes 2014, section 43A.241, is amended to read:

43A.241 INSURANCE CONTRIBUTIONS; FORMER ~~CORRECTIONS~~ EMPLOYEES.

(a) This section applies to a person who:

~~(1) was employed by the commissioner of the Department of Corrections at a state institution under control of the commissioner, and in that employment was a member of the general plan of the Minnesota State Retirement System; or by the Department of Human Services;~~

(2) was covered by the correctional employee retirement plan under section 352.91 or the general state employees retirement plan of the Minnesota State Retirement System as defined in section 352.021;

~~(3) while employed under clause (1), was assaulted by an inmate at a state institution under control of the commissioner of the Department of Corrections; and;~~

(i) a person under correctional supervision for a criminal offense; or

(ii) a client or patient at the Minnesota sex offender program, or at a state-operated forensic services program as defined in section 352.91, subdivision 3j, under the control of the commissioner of the Department of Human Services; and

~~(3)~~ (4) as a direct result of the assault under clause (3), was determined to be totally and permanently physically disabled under laws governing the Minnesota State Retirement System.

(b) For a person to whom this section applies, the commissioner of the Department of Corrections or the commissioner of the Department of Human Services, using existing budget resources, must continue to make the employer contribution for ~~hospital,~~ medical, and dental benefits under the State Employee Group Insurance Program after the person terminates state service. If the person had dependent coverage at the time of terminating state service, employer contributions for dependent coverage also must continue under this section. The employer contributions must be in the amount of the employer contribution for active state employees at the time each payment is made. The employer contributions must continue until the person reaches age 65, provided the person makes the required employee contributions, in the amount required of an active state employee, at the time and in the manner specified by the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to a person assaulted by an inmate, client, or patient on or after that date.

Sec. 2. Minnesota Statutes 2014, section 241.88, subdivision 1, is amended to read:

Subdivision 1. **Restraint.** (a) A representative of a correctional facility may not restrain a woman known to be pregnant unless the representative makes an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the woman, correctional staff, other inmates, or the public. If restraints are determined to be necessary, the restraints must be the least restrictive available and the most reasonable under the circumstances.

(b) A representative of a correctional facility may not restrain a woman known to be pregnant while the woman is being transported if the restraint is through the use of waist chains or other devices that cross or otherwise touch the woman's abdomen or handcuffs or other devices that cross or otherwise touch the woman's wrists when affixed behind the woman's back. If used, wrist restraints should be applied in such a way that the pregnant woman may be able to protect herself and her fetus in the event of a forward fall.

(c) A representative of a correctional facility may restrain a woman who is in labor or who has given birth within the preceding three days only if:

(1) there is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the woman, the staff of the correctional or medical facility, other inmates, or the public;

(2) the representative has made an individualized determination that restraints are necessary to prevent escape or injury;

(3) there is no objection from the treating medical care provider; and

(4) the restraints used are the least restrictive type and are used in the least restrictive manner.

(d) Section 645.241 does not apply to this section.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 3. Minnesota Statutes 2014, section 241.88, is amended by adding a subdivision to read:

Subd. 3. **Required annual report.** By February 15 of each year, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the use of restraints on pregnant women, women in labor, and women who have given birth in the preceding three days, who are incarcerated in state and local correctional facilities during the preceding calendar year. For reporting purposes, the use of restraints does not include use of handcuffs on the front of the body of a pregnant woman.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 4. Minnesota Statutes 2014, section 241.89, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** This section applies only to a woman:

(1) incarcerated following conviction; ~~and~~ or

(2) incarcerated before conviction beyond the period specified for the woman's initial appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 5. Minnesota Statutes 2014, section 241.89, subdivision 2, is amended to read:

Subd. 2. **Requirements.** The head of each correctional facility shall ensure that every woman incarcerated at the facility:

(1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years of age unless the inmate refuses the test;

(2) if pregnant ~~and agrees to testing, is tested for sexually transmitted diseases, including HIV, is provided the prevailing standard of care or current practice by the medical care provider's peer group;~~

(3) if pregnant or has given birth in the past six weeks, is provided appropriate educational materials and resources related to pregnancy, childbirth, breastfeeding, and parenting;

(4) if pregnant or has given birth in the past six weeks, has access to doula services if these services are provided by a certified doula without charge to the correctional facility or the incarcerated woman pays for the certified doula services;

(5) if pregnant or has given birth in the past six months, has access to a mental health assessment and, if necessary, treatment;

(6) if pregnant or has given birth in the past six months and determined to be suffering from a mental illness, has access to evidence-based mental health treatment including psychotropic medication;

(7) if pregnant or has given birth in the past six months and determined to be suffering from postpartum depression, has access to evidence-based therapeutic care for the depression; and

(8) if pregnant or has given birth in the past six months, is advised, orally or in writing, of applicable laws and policies governing incarcerated pregnant women.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 6. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision to read:

Subd. 1d. **Electronic surveillance.** (a) If the commissioner orders electronic surveillance of an inmate placed on supervised release, the commissioner may require that the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee, directly supervise the offender until electronic surveillance is activated.

(b) It is the responsibility of the inmate placed on electronic surveillance to ensure that the inmate's residence is properly equipped and the inmate's telecommunications system is properly configured to support electronic surveillance prior to being released from custody or the direct supervision of a probation agent. An inmate who fails to comply with this paragraph may be found in violation of the inmate's conditions of release after a revocation hearing.

Sec. 7. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

Subd. 6. **Electronic surveillance.** (a) During any phase, the offender may be placed on electronic surveillance if the intensive supervision agent so directs. If electronic surveillance is directed during phase I, the commissioner must require that the inmate be kept in custody, or that the inmate's intensive supervised release agent, or the agent's designee, directly supervise the offender until electronic surveillance is activated.

(b) It is the responsibility of the inmate placed on electronic surveillance to ensure that the inmate's residence is properly equipped and the inmate's telecommunications system is properly configured to support electronic surveillance prior to being released from custody or the direct supervision of an intensive supervised release agent. An inmate who fails to comply with this paragraph may be found in violation of the inmate's conditions of release after a revocation hearing.

Sec. 8. Minnesota Statutes 2014, section 260B.198, is amended by adding a subdivision to read:

Subd. 13. **Electronic surveillance.** (a) If a court orders a juvenile adjudicated delinquent to serve any portion of the juvenile's disposition on electronic surveillance, the court may require that the juvenile be kept in custody, or that the juvenile's probation agent directly supervise the juvenile until electronic surveillance is activated.

(b) It is the responsibility of the parent or guardian of the juvenile placed on electronic surveillance to ensure that the juvenile's residence is properly equipped and the residence's telecommunications system is properly configured to support electronic surveillance prior to the juvenile being released from custody or the direct supervision of a probation agent.

Sec. 9. Minnesota Statutes 2014, section 401.10, subdivision 1, is amended to read:

Subdivision 1. **Aid calculations.** To determine the community corrections aid amount to be paid to each participating county, the commissioner of corrections must apply the following formula:

(1) For each of the 87 counties in the state, a percent score must be calculated for each of the following five factors:

(i) percent of the total state population aged ten to 24 residing within the county according to the most recent federal census, and, in the intervening years between the taking of the federal census, according to the most recent estimate of the state demographer;

(ii) percent of the statewide total number of felony case filings occurring within the county, as determined by the state court administrator;

(iii) percent of the statewide total number of juvenile case filings occurring within the county, as determined by the state court administrator;

(iv) percent of the statewide total number of gross misdemeanor case filings occurring within the county, as determined by the state court administrator; and

(v) percent of the total statewide number of convicted felony offenders who did not receive an executed prison sentence, as monitored and reported by the Sentencing Guidelines Commission.

The percents in items (ii) to (v) must be calculated by combining the most recent three-year period of available data. The percents in items (i) to (v) each must sum to 100 percent across the 87 counties.

(2) For each of the 87 counties, the county's percents in clause (1), items (i) to (v), must be weighted, summed, and divided by the sum of the weights to yield an average percent for each county, referred to as the county's "composite need percent." When performing this calculation, the weight for each of the percents in clause (1), items (i) to (v), is 1.0. The composite need percent must sum to 100 percent across the 87 counties.

(3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is the county's adjusted net tax capacity amount, defined in the same manner as it is defined for cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net tax capacity amount. The adjusted net tax capacity percent must sum to 100 percent across the 87 counties.

(4) For each of the 87 counties, the county's composite need percent must be divided by the county's adjusted net tax capacity percent to produce a ratio that, when multiplied by the county's composite need percent, results in the county's "tax base adjusted need percent."

(5) For each of the 87 counties, the county's tax base adjusted need percent must be added to twice the composite need percent, and the sum must be divided by 3, to yield the county's "weighted need percent."

(6) Each participating county's weighted need percent must be added to the weighted need percent of each other participating county to yield the "total weighted need percent for participating counties."

(7) Each participating county's weighted need percent must be divided by the total weighted need percent for participating counties to yield the county's "share percent." The share percents for participating counties must sum to 100 percent.

(8) Each participating county's "base funding amount" is the aid amount that the county received under this section for fiscal year 1995 plus the amount received in caseload or workload reduction, felony caseload reduction, and sex offender supervision grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year 1997 and thereafter, no county's aid amount under this section may be less than its base funding amount, provided that the total amount appropriated for this purpose is at least as much as the aggregate base funding amount defined in clause (9).

(9) The "aggregate base funding amount" is equal to the sum of the base funding amounts for all participating counties. If a county that participated under this section ~~during fiscal year 1995~~ chooses not to participate in any given year, then the aggregate base funding amount must be reduced by that county's base funding amount. If a county that did not participate under this section in fiscal year 1995 chooses to participate ~~in any given year~~ on or after July 1, 2015, then the aggregate base funding amount must be increased by the amount of aid that the county would have received had it participated in fiscal year 1995 plus the estimated amount it would have received in caseload or workload reduction, felony caseload reduction, and sex offender supervision grants in fiscal year 2015, as reported by the commissioner of corrections, and the amount of increase shall be that county's base funding amount.

(10) In any given year, the total amount appropriated for this purpose first must be allocated to participating counties in accordance with each county's base funding amount. Then, any remaining amount in excess of the aggregate base funding amount must be allocated to participating counties in proportion to each county's share percent, and is referred to as the county's "formula amount."

Each participating county's "community corrections aid amount" equals the sum of (i) the county's base funding amount, and (ii) the county's formula amount.

(11) However, if in any year the total amount appropriated for the purpose of this section is less than the aggregate base funding amount, then each participating county's community corrections aid amount is the product of (i) the county's base funding amount multiplied by (ii) the ratio of the total amount appropriated to the aggregate base funding amount.

For each participating county, the county's community corrections aid amount calculated in this subdivision is the total amount of subsidy to which the county is entitled under sections 401.01 to 401.16.

Sec. 10. Minnesota Statutes 2014, section 631.461, is amended to read:

631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.

(a) When a sentence for an offense includes imprisonment in a county jail, the court may sentence the offender to imprisonment in a workhouse or correctional or work farm if there is one in the county where the offender is tried or where the offense was committed. If not, the court may sentence the offender to imprisonment in a workhouse or correctional or work farm in any county in this state. However, the county board of the county where the offender is tried shall have some agreement for the receipt, maintenance, and confinement of inmates with the county where the offender has been sentenced to imprisonment. The place of imprisonment must be specified in the sentence. Inmates may be removed from one place of confinement to another as provided by statute.

(b) If a court orders or a sheriff permits an offender to serve any portion of the offender's sentence on electronic surveillance, the court or sheriff may require that the offender be kept in custody, or that the offender's probation agent directly supervise the offender until electronic surveillance is activated.

(c) It is the responsibility of the offender placed on electronic surveillance to ensure that the offender's residence is properly equipped and the offender's telecommunications system is properly configured to support electronic surveillance prior to being released from custody or the direct supervision of a probation agent. An offender who fails to comply with this paragraph may be found in violation of the offender's conditions of release after a revocation hearing.

Sec. 11. **SHERBURNE COUNTY COMMUNITY SUPERVISION GRANT.**

Notwithstanding Minnesota Statutes, section 401.10, subdivision 2, any state funds appropriated in fiscal year 2015 for community supervision in Sherburne County that are unallocated after funds are transferred under the Community Corrections Act formula to fund Sherburne County's participation in the act shall be transferred by the commissioner to Sherburne County in the form of a caseload and workload reduction grant.

Sec. 12. **COLTON'S LAW.**

Sections 6, 7, 8, 10, and 13 shall be known as "Colton's Law."

Sec. 13. **ELECTRONIC SURVEILLANCE; PURPOSE STATEMENT.**

The purpose of electronic surveillance of adult and juvenile offenders is to provide a cost-effective alternative to incarceration or detention for deserving low-risk offenders. It is a privilege for an adult or juvenile offender to be placed on electronic surveillance in lieu of remaining in custody to complete a period of incarceration or detention. The parties who authorize and implement electronic surveillance shall take all reasonable precautions to protect public safety.

ARTICLE 6
GENERAL CRIMINAL PROVISION

Section 1. Minnesota Statutes 2014, section 13.82, subdivision 17, is amended to read:

Subd. 17. **Protection of identities.** A law enforcement agency or a law enforcement dispatching agency working under direction of a law enforcement agency shall withhold public access to data on individuals to protect the identity of individuals in the following circumstances:

(a) when access to the data would reveal the identity of an undercover law enforcement officer, as provided in section 13.43, subdivision 5;

(b) when access to the data would reveal the identity of a victim or alleged victim of criminal sexual conduct or ~~of a violation of sex trafficking~~ under section 609.322, 609.341 to 609.3451, or 617.246, subdivision 2;

(c) when access to the data would reveal the identity of a paid or unpaid informant being used by the agency if the agency reasonably determines that revealing the identity of the informant would threaten the personal safety of the informant;

(d) when access to the data would reveal the identity of a victim of or witness to a crime if the victim or witness specifically requests not to be identified publicly, unless the agency reasonably determines that revealing the identity of the victim or witness would not threaten the personal safety or property of the individual;

(e) when access to the data would reveal the identity of a deceased person whose body was unlawfully removed from a cemetery in which it was interred;

(f) when access to the data would reveal the identity of a person who placed a call to a 911 system or the identity or telephone number of a service subscriber whose phone is used to place a call to the 911 system and: (1) the agency determines that revealing the identity may threaten the personal safety or property of any person; or (2) the object of the call is to receive help in a mental health emergency. For the purposes of this paragraph, a voice recording of a call placed to the 911 system is deemed to reveal the identity of the caller;

(g) when access to the data would reveal the identity of a juvenile witness and the agency reasonably determines that the subject matter of the investigation justifies protecting the identity of the witness; or

(h) when access to the data would reveal the identity of a mandated reporter under section 609.456, 626.556, or 626.557.

Data concerning individuals whose identities are protected by this subdivision are private data about those individuals. Law enforcement agencies shall establish procedures to acquire the data and make the decisions necessary to protect the identity of individuals described in clauses (c), (d), (f), and (g).

Sec. 2. Minnesota Statutes 2014, section 169.13, subdivision 1, is amended to read:

Subdivision 1. **Reckless driving.** ~~(a) Any person who drives any vehicle in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving and such reckless driving is a misdemeanor. A person who drives a motor vehicle while aware of and consciously disregarding a substantial and unjustifiable risk that the driving may result in harm to another or another's property is guilty of reckless driving. The risk must be of such a nature and degree that disregard of it constitutes a significant deviation from the standard of conduct that a reasonable person would observe in the situation.~~

(b) A person shall not race any vehicle upon any street or highway of this state. Any person who willfully compares or contests relative speeds by operating one or more vehicles is guilty of racing, which constitutes reckless driving, whether or not the speed contested or compared is in excess of the maximum speed prescribed by law.

(c) A person who violates paragraph (a) or (b) is guilty of a misdemeanor. A person who violates paragraph (a) or (b) and causes great bodily harm or death to another is guilty of a gross misdemeanor.

(d) For purposes of this section, "great bodily harm" has the meaning given in section 609.02, subdivision 8.

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

Sec. 3. Minnesota Statutes 2014, section 169.13, subdivision 3, is amended to read:

Subd. 3. **Application.** (a) The provisions of this section apply, but are not limited in application, to any person who drives any vehicle in the manner prohibited by this section:

(1) upon the ice of any lake, stream, or river, including but not limited to the ice of any boundary water; or

(2) in a parking lot ordinarily used by or available to the public though not as a matter of right, and a driveway connecting the parking lot with a street or highway.

(b) This section does not apply to:

(1) an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator;

(2) the emergency operation of any vehicle when avoiding imminent danger; or

(3) any raceway, racing facility, or other public event sanctioned by the appropriate governmental authority.

(c) Nothing in this section or section 609.035 or 609.04 shall limit the power of the state to prosecute or punish a person for conduct that constitutes any other crime under any other law of this state.

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

Sec. 4. Minnesota Statutes 2014, section 169A.03, subdivision 3, is amended to read:

Subd. 3. **Aggravating factor.** "Aggravating factor" includes:

(1) a qualified prior impaired driving incident within the ten years immediately preceding the current offense;

(2) having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within two hours of the time, of the offense; or

(3) having a child under the age of 16 in the motor vehicle at the time of the offense if the child is more than 36 months younger than the offender.

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

Sec. 5. Minnesota Statutes 2014, section 169A.07, is amended to read:

169A.07 FIRST-TIME DWI VIOLATOR; OFF-ROAD VEHICLE OR BOAT.

A person who violates section 169A.20 (driving while impaired) while using an off-road recreational vehicle or motorboat and who does not have a qualified prior impaired driving incident is subject only to the criminal penalty provided in section 169A.25 (second-degree driving while impaired), 169A.26 (third-degree driving while impaired), or 169A.27 (fourth-degree driving while impaired); and loss of operating privileges as provided in section 84.91, subdivision 1 (operation of snowmobiles or all-terrain vehicles by persons under the influence of alcohol or controlled substances), or 86B.331, subdivision 1 (operation of motorboats while using alcohol or with a physical or mental disability), whichever is applicable. The person is not subject to the provisions of section 169A.275, subdivision 5, (submission to the level of care recommended in chemical use assessment for repeat offenders and offenders with alcohol concentration of ~~0.20~~ 0.16 or more); 169A.277 (long-term monitoring); 169A.285 (penalty assessment); 169A.44 (conditional release); 169A.54 (impaired driving convictions and adjudications; administrative penalties); or 169A.54, subdivision 11 (chemical use assessment); the license revocation sanctions of sections 169A.50 to 169A.53 (implied consent law); or the plate impoundment provisions of section 169A.60 (administrative impoundment of plates).

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

Sec. 6. Minnesota Statutes 2014, section 169A.275, subdivision 5, is amended to read:

Subd. 5. **Level of care recommended in chemical use assessment.** Unless the court commits the person to the custody of the commissioner of corrections as provided in section 169A.276 (mandatory penalties; felony violations), in addition to other penalties required under this section, the court shall order a person to submit to the level of care recommended in the chemical use assessment conducted under section 169A.70 (alcohol safety program; chemical use assessments) if the person is convicted of violating section 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within two hours of the time, of the offense or if the violation occurs within ten years of one or more qualified prior impaired driving incidents.

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

Sec. 7. Minnesota Statutes 2014, section 169A.285, subdivision 1, is amended to read:

Subdivision 1. **Authority; amount.** When a court sentences a person who violates section 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within two hours of the time, of the violation, the court may impose a penalty assessment of up to \$1,000. The court may impose this assessment in addition to any other penalties or charges authorized under law.

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

Sec. 8. Minnesota Statutes 2014, section 169A.46, subdivision 1, is amended to read:

Subdivision 1. **Impairment occurred after driving ceased.** If proven by a preponderance of the evidence, it is an affirmative defense to a violation of section 169A.20, subdivision 1, clause (5); 1a, clause (5); 1b, clause (5); or 1c, clause (5) (driving while impaired, alcohol concentration within two hours of driving), or 169A.20 by a person having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within two hours of the time, of the offense, that the defendant consumed a sufficient quantity of alcohol after the time of the violation and before the administration of the evidentiary test to cause the defendant's alcohol concentration to exceed the level specified in the applicable clause. Evidence that the defendant consumed alcohol after the time of the violation may not be admitted in defense to any alleged violation of section 169A.20, unless notice is given to the prosecution prior to the omnibus or pretrial hearing in the matter.

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

Sec. 9. Minnesota Statutes 2014, section 169A.53, subdivision 3, is amended to read:

Subd. 3. **Judicial hearing; issues, order, appeal.** (a) A judicial review hearing under this section must be before a district judge in any county in the judicial district where the alleged offense occurred. The hearing is to the court and may be conducted at the same time and in the same manner as hearings upon pretrial motions in the criminal prosecution under section 169A.20 (driving while impaired), if any. The hearing must be recorded. The commissioner shall appear and be represented by the attorney general or through the prosecuting authority for the jurisdiction involved. The hearing must be held at the earliest practicable date, and in any event no later than 60 days following the filing of the petition for review. The judicial district administrator shall establish procedures to ensure efficient compliance with this subdivision. To accomplish this, the administrator may, whenever possible, consolidate and transfer review hearings among the locations within the judicial district where terms of district court are held.

(b) The scope of the hearing is limited to the issues in clauses (1) to ~~(10)~~ (11):

(1) Did the peace officer have probable cause to believe the person was driving, operating, or in physical control of a motor vehicle or commercial motor vehicle in violation of section 169A.20 (driving while impaired)?

(2) Was the person lawfully placed under arrest for violation of section 169A.20?

(3) Was the person involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death?

(4) Did the person refuse to take a screening test provided for by section 169A.41 (preliminary screening test)?

(5) If the screening test was administered, did the test indicate an alcohol concentration of 0.08 or more?

(6) At the time of the request for the test, did the peace officer inform the person of the person's rights and the consequences of taking or refusing the test as required by section 169A.51, subdivision 2?

(7) Did the person refuse to permit the test?

(8) If a test was taken by a person driving, operating, or in physical control of a motor vehicle, did the test results indicate at the time of testing:

(i) an alcohol concentration of 0.08 or more; or

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

(9) If a test was taken by a person driving, operating, or in physical control of a commercial motor vehicle, did the test results indicate an alcohol concentration of 0.04 or more at the time of testing?

(10) Was the testing method used valid and reliable and were the test results accurately evaluated?

(11) Did the person prove the defense of necessity?

(c) It is an affirmative defense for the petitioner to prove that, at the time of the refusal, the petitioner's refusal to permit the test was based upon reasonable grounds.

(d) Certified or otherwise authenticated copies of laboratory or medical personnel reports, records, documents, licenses, and certificates are admissible as substantive evidence.

(e) The court shall order that the revocation or disqualification be either rescinded or sustained and forward the order to the commissioner. The court shall file its order within 14 days following the hearing. If the revocation or disqualification is sustained, the court shall also forward the person's driver's license or permit to the commissioner for further action by the commissioner if the license or permit is not already in the commissioner's possession.

(f) Any party aggrieved by the decision of the reviewing court may appeal the decision as provided in the Rules of Appellate Procedure.

(g) The civil hearing under this section shall not give rise to an estoppel on any issues arising from the same set of circumstances in any criminal prosecution.

(h) It is an affirmative defense for the petitioner to prove a necessity.

Sec. 10. Minnesota Statutes 2014, section 243.166, subdivision 1b, is amended to read:

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

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

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

(ii) kidnapping under section 609.25;

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

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

(v) interference with privacy under section 609.746, subdivision 1a;

(2) the person was charged with or petitioned for a violation of, or attempt to violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b); false imprisonment in violation of section 609.255, subdivision 2; solicitation, inducement, or promotion of ~~the~~

prostitution of a minor or engaging in the or sex trafficking of a minor in violation of section 609.322; a prostitution offense involving a minor under the age of 13 years in violation of section 609.324, subdivision 1, paragraph (a); soliciting a minor to engage in sexual conduct in violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a sexual performance in violation of section 617.246; or possessing pornographic work involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent for that offense or another offense arising out of the same set of circumstances;

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 11. Minnesota Statutes 2014, section 609.1095, subdivision 1, is amended to read:

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

(b) "Conviction" means any of the following accepted and recorded by the court: a plea of guilty, a verdict of guilty by a jury, or a finding of guilty by the court. The term includes a conviction by any court in Minnesota or another jurisdiction.

(c) "Prior conviction" means a conviction that occurred before the offender committed the next felony resulting in a conviction and before the offense for which the offender is being sentenced under this section.

(d) "Violent crime" means a violation of or an attempt or conspiracy to violate any of the following laws of this state or any similar laws of the United States or any other state: sections 152.137; 609.165; 609.185; 609.19; 609.195; 609.20; 609.205; 609.2112; 609.2113; 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24; 609.245; 609.25; 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267; 609.2671; 609.268; 609.322; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1; 609.561; 609.562; 609.582, subdivision 1; 609.66, subdivision 1e; 609.687; and 609.855, subdivision 5; any provision of sections 609.229; 609.377; 609.378; 609.749; and 624.713 that is punishable by a felony penalty; or any provision of chapter 152 that is punishable by a maximum sentence of 15 years or more; or Minnesota Statutes 2012, section 609.21.

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

Sec. 12. Minnesota Statutes 2014, section 609.2111, is amended to read:

609.2111 DEFINITIONS.

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

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

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

(d) "Hazardous substance" means any chemical or chemical compound that is listed as a hazardous substance in rules adopted under chapter 182.

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

(1) for a violation of section 169A.20 under the circumstances described in section 169A.24, 169A.25, or 169A.26;

(2) for a violation of section 169A.20 under the circumstances described in section 169A.27 and involving damage to property;

(3) for a violation of section 169.13 involving damage to property or resulting in bodily harm to or the death of another;

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

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

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

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

Sec. 13. Minnesota Statutes 2014, section 609.2112, subdivision 1, is amended to read:

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

(1) in a grossly negligent manner;

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

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

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

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

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

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

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

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

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

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

Sec. 14. Minnesota Statutes 2014, section 609.2114, subdivision 1, is amended to read:

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

(1) in a grossly negligent manner;

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

(i) alcohol;

(ii) a controlled substance; or

(iii) any combination of those elements;

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

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

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

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

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

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

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

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

Sec. 15. Minnesota Statutes 2014, section 609.2231, subdivision 3a, is amended to read:

Subd. 3a. **Secure treatment facility personnel.** (a) As used in this subdivision, "secure treatment facility" ~~has the meaning given~~ includes facilities listed in section 253B.02, subdivision 18a, and 253D.02, subdivision 13.

(b) Whoever, while committed under chapter 253D, Minnesota Statutes 2012, section 253B.185, or Minnesota Statutes 1992, section 526.10, commits either of the following acts against an employee or other individual who provides care or treatment at a secure treatment facility while the person is engaged in the performance of a duty imposed by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both:

(1) assaults the person and inflicts demonstrable bodily harm; or

(2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the person.

(c) Whoever, while committed under section 253B.18, or admitted under the provision of section 253B.10, subdivision 1, commits either of the following acts against an employee or other individual who supervises and works directly with patients at a secure treatment facility while the person is engaged in the performance of a duty imposed by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both:

(1) assaults the person and inflicts demonstrable bodily harm; or

(2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the person.

~~(e)~~ (d) The court shall commit a person convicted of violating ~~paragraph (b)~~ this subdivision to the custody of the commissioner of corrections for not less than one year and one day. The court may not, on its own motion or the prosecutor's motion, sentence a person without regard to this paragraph. A person convicted and sentenced as required by this paragraph is not eligible for probation, parole, discharge, work release, or supervised release, until that person has served the full term of imprisonment as provided by law, notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and 609.135.

~~(d)~~ (e) Notwithstanding the statutory maximum sentence provided in ~~paragraph (b)~~ this subdivision, when a court sentences a person to the custody of the commissioner of corrections for a violation of ~~paragraph (b)~~ this subdivision, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for five years. The terms of conditional release are governed by sections 244.05 and 609.3455, subdivision 6, 7, or 8; and Minnesota Statutes 2004, section 609.109.

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

Sec. 16. Minnesota Statutes 2014, section 609.324, subdivision 1, is amended to read:

Subdivision 1. **Engaging in, hiring, or agreeing to hire minor to engage in prostitution; penalties.** (a) Whoever intentionally does any of the following may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$40,000, or both:

(1) engages in prostitution with an individual under the age of 13 years; or

(2) hires or offers or agrees to hire an individual under the age of 13 years to engage in sexual penetration or sexual contact.

(b) Whoever intentionally does any of the following may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both:

(1) engages in prostitution with an individual under the age of 16 years but at least 13 years; or

(2) hires or offers or agrees to hire an individual under the age of 16 years but at least 13 years to engage in sexual penetration or sexual contact.

(c) Whoever intentionally does any of the following may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both:

(1) engages in prostitution with an individual under the age of 18 years but at least 16 years; ~~or~~

(2) hires or offers or agrees to hire an individual under the age of 18 years but at least 16 years to engage in sexual penetration or sexual contact; or

(3) hires or offers or agrees to hire an individual who the actor reasonably believes to be under the age of 18 years to engage in sexual penetration or sexual contact.

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

Sec. 17. Minnesota Statutes 2014, section 609.325, is amended by adding a subdivision to read:

Subd. 3a. **No defense; undercover operative.** The fact that an undercover operative or law enforcement officer was involved in the detection or investigation of an offense shall not be a defense to a prosecution under section 609.324.

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

Sec. 18. Minnesota Statutes 2014, section 609.325, subdivision 4, is amended to read:

Subd. 4. **Affirmative defense.** It is an affirmative defense to a charge under section 609.324, ~~subdivision 6 or 7,~~ if the defendant proves by a preponderance of the evidence that the defendant is a labor trafficking victim, as defined in section 609.281, or a sex trafficking victim, as defined in section 609.321, and that the defendant committed the ~~act only under compulsion by another who by explicit or implicit threats created a reasonable apprehension in the mind of the defendant that if the defendant did not commit the act, the person would inflict bodily harm upon the defendant~~ acts underlying the charge as a result of being a labor trafficking or sex trafficking victim.

Sec. 19. Minnesota Statutes 2014, section 609.3451, subdivision 1, is amended to read:

Subdivision 1. **Crime defined.** A person is guilty of criminal sexual conduct in the fifth degree:

(1) if the person engages in nonconsensual sexual contact; or

(2) the person engages in masturbation or lewd exhibition of the genitals in the presence of a minor under the age of 16, knowing or having reason to know the minor is present.

For purposes of this section, "sexual contact" has the meaning given in section 609.341, subdivision 11, paragraph (a), clauses (i) ~~and~~, (iv), and (v), but does not include the intentional touching of the clothing covering the immediate area of the buttocks. Sexual contact also includes the intentional removal or attempted removal of clothing covering the complainant's intimate parts or undergarments, and the nonconsensual touching by the complainant of the actor's intimate parts, effected by the actor, if the action is performed with sexual or aggressive intent.

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

Sec. 20. Minnesota Statutes 2014, section 609.3471, is amended to read:

609.3471 RECORDS PERTAINING TO VICTIM IDENTITY CONFIDENTIAL.

Notwithstanding any provision of law to the contrary, no data contained in records or reports relating to petitions, complaints, or indictments issued pursuant to section ~~609.322~~, 609.342, 609.343, 609.344, 609.345, or 609.3453, which specifically identifies a victim who is a minor shall be accessible to the public, except by order of the court. Nothing in this section authorizes denial of access to any other data contained in the records or reports, including the identity of the defendant.

Sec. 21. Minnesota Statutes 2014, section 609.531, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a dangerous weapon as defined under section 609.02, subdivision 6, that the actor used or had in possession in furtherance of a crime.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the Bureau of Criminal Apprehension, the Department of Commerce Fraud Bureau, the Minnesota Division of Driver and Vehicle Services, the Minnesota State Patrol, a county sheriff's department, the Three Rivers Park District park rangers, the Department of Natural Resources Division of Enforcement, the University of Minnesota Police Department, the Department of Corrections Fugitive Apprehension Unit, a city, metropolitan transit, or airport police department; or a multijurisdictional entity established under section 299A.642 or 299A.681.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter, chapter 152 or 624;

(2) for driver's license or identification card transactions: any violation of section 171.22; and

(3) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; ~~609.2335~~; 609.24; 609.245; 609.25; 609.255; 609.282; 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation of section 609.891 or 624.7181; or any violation of section 609.324.

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

(h) "Prosecuting authority" means the attorney who is responsible for prosecuting an offense that is the basis for a forfeiture under sections 609.531 to 609.5318.

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

Sec. 22. **[609.5634] REAL OR PERSONAL PROPERTY ARSON RESULTING IN BODILY HARM.**

Subdivision 1. Penalty; felony. Whoever, by means of fire or explosives, intentionally sets fire to or burns any real or personal property and the fire or explosion proximately causes bodily harm to any person, including a public safety officer performing official duties, shall be sentenced as follows:

(1) if the injury results in great bodily harm, the person shall be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$20,000, or both;

(2) if the injury results in substantial bodily harm, the person shall be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$15,000, or both; and

(3) if the injury results in demonstrable bodily harm, the person shall be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Subd. 2. **Definitions.** (a) As used in this section, "personal property" does not include items where fire is involved in its normally intended use or repair, such as the wick of a candle, solder or flux in the act of welding, or logs in a campfire.

(b) As used in this section, "public safety officer" has the meaning given in section 299A.41, subdivision 4.

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

Sec. 23. Minnesota Statutes 2014, section 609.564, is amended to read:

609.564 EXCLUDED FIRES.

A person does not violate section 609.561, 609.562, 609.563, 609.5634, or 609.5641 if the person sets a fire pursuant to a validly issued license or permit or with written permission from the fire department of the jurisdiction where the fire occurs.

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

Sec. 24. Minnesota Statutes 2014, section 609.5641, subdivision 1a, is amended to read:

Subd. 1a. **Penalty; felonies.** (a) Except as provided in paragraphs (b), (c), and (d), a person who violates subdivision 1 may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) A person who violates subdivision 1 where the fire threatens to damage or damages in excess of five buildings or dwellings, burns 500 acres or more, or damages crops in excess of \$100,000, may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$15,000, or both.

(c) A person who violates subdivision 1 where the fire threatens to damage or damages in excess of 100 buildings or dwellings, burns 1,500 acres or more, or damages crops in excess of \$250,000, may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$25,000, or both.

(d) A person who violates subdivision 1 where the fire causes another person to suffer ~~demonstrable~~ bodily harm may be sentenced to ~~imprisonment for not more than ten years or to payment of a fine of \$15,000, or both~~ as provided in section 609.5634, subdivision 1, clauses (1) to (3).

(e) For purposes of this section, a building or dwelling is threatened when there is a probability of damage to the building or dwelling requiring evacuation for safety of life.

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

Sec. 25. **[609.688] ADULTERATION BY BODILY FLUID.**

Subdivision 1. **Definition.** (a) As used in this section, the following terms have the meanings given.

(b) "Adulterates" is the intentional adding of a bodily fluid to a substance.

(c) "Bodily fluid" means the blood, seminal fluid, vaginal fluid, urine, or feces of a human.

Subd. 2. **Crime.** (a) Whoever adds saliva to any substance that the person knows or should know is intended for human consumption and another person ingests the substance without knowledge of the saliva being added is guilty of a misdemeanor.

(b) Whoever adulterates any substance that the person knows or should know is intended for human consumption is guilty of a misdemeanor.

(c) Whoever violates paragraph (b) and another person ingests the adulterated substance without knowledge of the adulteration is guilty of a gross misdemeanor.

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

Sec. 26. Minnesota Statutes 2014, section 609.746, is amended by adding a subdivision to read:

Subd. 1a. **Nonconsensual photographs and videos.** (a) A person who knowingly takes a photograph, records a digital image, makes a video record, or transmits live video of another person, without that person's consent, in a restroom, locker room, or changing room is guilty of a crime and may be sentenced as provided in paragraphs (c), (d), and (e).

(b) A person who knowingly disseminates, or permits to be disseminated, a photograph, digital image, video record, or live video that the person knows to have been made or transmitted in violation of paragraph (a) or subdivision 1 is guilty of a crime and may be sentenced as provided in paragraphs (f), (g), and (h).

(c) Except as provided in paragraphs (d) and (e), a person who violates paragraph (a) is guilty of a gross misdemeanor.

(d) A person who violates paragraph (a) and the victim is a minor under the age of 18 is guilty of a felony and may be sentenced to imprisonment for not more than 36 months or to payment of a fine of not more than \$10,000, or both.

(e) A person who violates paragraph (a) and who is required to register as a predatory offender under the laws of this state or another jurisdiction is guilty of a felony and may be sentenced to imprisonment for not more than 36 months or to payment of a fine of not more than \$10,000, or both.

(f) Except as provided in paragraphs (g) and (h), a person who violates paragraph (b) is guilty of a felony and may be sentenced to imprisonment for not more than 36 months or to payment of a fine of not more than \$10,000, or both.

(g) A person who violates paragraph (b) and the victim is a minor under the age of 18 is guilty of a felony and may be sentenced to imprisonment for not more than 60 months or to payment of a fine of not more than \$20,000, or both.

(h) A person who violates paragraph (b) and who is required to register as a predatory offender under the laws of this state or another jurisdiction is guilty of a felony and may be sentenced to imprisonment for not more than 60 months or to payment of a fine of not more than \$20,000, or both.

(i) This subdivision does not apply to:

(1) law enforcement officers or corrections investigators, or to those acting under their direction, while engaged in the performance of their lawful duties; or

(2) the owner of a commercial establishment and the owner's employees if the owner has posted conspicuous signs warning that the premises are under surveillance by the owner or the owner's employees and the recording and dissemination of a photograph, digital image, video record, or live video are necessary to protect the safety of employees or customers or to secure the establishment's property, including merchandise.

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

Sec. 27. Minnesota Statutes 2014, section 609.765, is amended to read:

609.765 CRIMINAL DEFAMATION.

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

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

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

~~(1) the defamatory matter is true and is communicated with good motives and for justifiable ends; or~~

~~(2) (1) the communication is absolutely privileged; or~~

~~(3) (2) the communication consists of fair comment made in good faith with respect to persons participating in matters of public concern; or~~

~~(4) (3) the communication consists of a fair and true report or a fair summary of any judicial, legislative or other public or official proceedings; or~~

~~(5) (4) the communication is between persons each having an interest or duty with respect to the subject matter of the communication and is made with intent to further such interest or duty.~~

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

Sec. 28. Minnesota Statutes 2014, section 611A.26, subdivision 1, is amended to read:

Subdivision 1. **Polygraph prohibition.** No law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging, or prosecution of such offense.

Sec. 29. Minnesota Statutes 2014, section 611A.26, subdivision 6, is amended to read:

Subd. 6. **Definitions.** For the purposes of this section, the following terms have the meanings given.

(a) "Criminal sexual conduct" means a violation of section 609.342, 609.343, 609.344, 609.345, or 609.3451.

(b) "Sex trafficking" means a violation of section 609.322.

(c) "Complainant" means a person reporting to have been subjected to criminal sexual conduct or sex trafficking.

(~~e~~) (d) "Polygraph examination" means any mechanical or electrical instrument or device of any type used or allegedly used to examine, test, or question individuals for the purpose of determining truthfulness.

Sec. 30. Minnesota Statutes 2014, section 617.242, subdivision 6, is amended to read:

Subd. 6. **Restrictions on ownership or management by persons convicted of certain crimes.** A person who has been convicted of one of the following offenses may not operate or manage an adult business establishment for three years after discharge of the sentence for the offense, or a similar offense in another state or jurisdiction:

- (1) prostitution or sex trafficking under section 609.321; 609.322; 609.324; or 609.3242;
- (2) criminal sexual conduct under sections 609.342 to 609.3451;
- (3) solicitation of children under section 609.352;
- (4) indecent exposure under section 617.23;
- (5) distribution or exhibition of obscene materials and performances under section 617.241;
- (6) use of a minor in a sexual performance under section 617.246; or
- (7) possession of pornographic work involving minors under section 617.247.

Sec. 31. Minnesota Statutes 2014, section 628.26, is amended to read:

628.26 LIMITATIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to crimes committed on or after that date and to crimes committed before that date if the limitations period for the crime did not expire before August 1, 2015.

Sec. 32. **JACQUELYN DEVNEY AND THOMAS CONSIDINE ROADWAY SAFETY ACT.**

Sections 2 and 3 may be cited as the Jacquelyn Devney and Thomas Considine Roadway Safety Act.

Sec. 33. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall make cross-reference changes in Minnesota Statutes consistent with re-coding changes made in sections 13 and 14.

ARTICLE 7
DISASTER ASSISTANCE

Section 1. Minnesota Statutes 2014, section 12.221, subdivision 6, is amended to read:

Subd. 6. **Disaster assistance contingency account; appropriation.** (a) A disaster assistance contingency account is created in the special revenue fund in the state treasury. Money in the disaster assistance contingency account is appropriated to the commissioner of public safety to provide:

(1) cost-share for federal assistance under section 12A.15, subdivision 1; ~~and~~

(2) state public disaster assistance to eligible applicants under chapter 12B-;

(3) cost-share for federal assistance from the Federal Highway Administration emergency relief program under United States Code, title 23, section 125; and

(4) cost-share for federal assistance from the United States Department of Agriculture, Natural Resources Conservation Service emergency watershed protection program under United States Code, title 16, sections 2203 to 2205.

(b) For appropriations under paragraph (a), clause (1), the amount appropriated is 100 percent of any nonfederal share for state agencies and local governments. Money appropriated under paragraph (a), clause (1), may be used to pay all or a portion of the nonfederal share for publicly owned capital improvement projects.

(c) For appropriations under paragraph (a), clause (2), the amount appropriated is the amount required to pay eligible claims under chapter 12B, as certified by the commissioner of public safety.

(d) By January 15 of each year, the commissioner of management and budget shall submit a report to the chairs and ranking minority members of the house of representatives Ways and Means Committee and the senate Finance Committee detailing state disaster assistance appropriations and expenditures under this subdivision during the previous calendar year.

(e) The governor's budget proposal submitted to the legislature under section 16A.11 must include recommended appropriations to the disaster assistance contingency account. The governor's appropriation recommendations must be informed by the commissioner of public safety's estimate of the amount of money that will be necessary to:

(1) provide 100 percent of the nonfederal share for state agencies and local governments that will receive federal financial assistance from FEMA during the next biennium; and

(2) fully pay all eligible claims under chapter 12B.

(f) Notwithstanding section 16A.28:

(1) funds appropriated or transferred to the disaster assistance contingency account do not lapse but remain in the account until appropriated; and

(2) funds appropriated from the disaster assistance contingency account do not lapse and are available until expended.

Sec. 2. Minnesota Statutes 2014, section 12A.15, subdivision 1, is amended to read:

Subdivision 1. **State cost-share for federal assistance.** State appropriations may be used to pay 100 percent of the nonfederal share for state agencies ~~and~~ local governments, and utility cooperatives under section 12.221. An appropriation from the bond proceeds fund may be used as cost-share for federal disaster assistance for publicly owned capital improvement projects.

Sec. 3. Minnesota Statutes 2014, section 12B.15, subdivision 2, is amended to read:

Subd. 2. **Applicant.** "Applicant" means a local government or state government agency that applies for state disaster assistance under this chapter.

Sec. 4. Minnesota Statutes 2014, section 12B.15, is amended by adding a subdivision to read:

Subd. 3a. **County.** "County" or "county government" means each county in which a governmental unit is located in whole or in part, or a county board of commissioners as defined in chapter 375.

Sec. 5. Minnesota Statutes 2014, section 12B.25, subdivision 1, is amended to read:

Subdivision 1. **Payment required; eligibility criteria.** The director, serving as the governor's authorized representative, may enter into grant agreements with eligible applicants to provide state financial assistance made available as a result of a disaster that satisfies all of the following criteria:

- (1) the state or applicable ~~local~~ county government declares a disaster or emergency during the incident period;
- (2) damages suffered and eligible costs incurred are the direct result of the disaster;
- (3) federal disaster assistance is not available to the applicant because the governor did not request a presidential declaration of major disaster, the president denied the governor's request, or the applicant is not eligible for federal disaster assistance because the state or county did not meet the per capita impact indicator under FEMA's Public Assistance Program;
- (4) the applicant incurred eligible damages that, on a per capita basis, equal or exceed 50 percent of the countywide per capita impact indicator under FEMA's Public Assistance Program;
- (5) the applicant assumes responsibility for 25 percent of the applicant's total eligible costs; and
- (6) the applicant satisfies all requirements in this chapter.

Sec. 6. Minnesota Statutes 2014, section 12B.40, is amended to read:

12B.40 APPLICATION PROCESS.

(a) The director must develop application materials and may update the materials as needed. Application materials must include instructions and requirements for assistance under this chapter.

(b) ~~An applicant~~ A county government has 30 days from the end of the incident period or the president's official denial of the governor's request for a declaration of a major disaster to ~~provide the director with written notice of intent to apply~~ request that the governor declare a state disaster. The director may deny ~~an application due to a late notice of intent to apply~~ a late request. The county government's request for a state disaster declaration must include:

- (1) the cause, location of damage, and incident period;
- (2) documentation of a local, tribal, county, or state disaster or emergency declaration in response to the disaster;
- (3) a description of damages, an initial damage assessment, and the amount of eligible costs incurred by the applicant;
- (4) a statement or evidence that the applicant has the ability to pay for at least 25 percent of total eligible costs incurred from the disaster; and
- (5) a statement or evidence that the local government has incurred damages equal to or exceeding 50 percent of the federal countywide threshold in effect during the incident period.

(c) ~~Within~~ An applicant has 60 days after the end of the incident period or the president's official denial of from the governor's ~~request for a~~ declaration of a major state disaster, the applicant must to submit a complete application for state public disaster assistance to the director. ~~A complete application includes the following:~~

- ~~(1) the cause, location of damage, and incident period;~~

- ~~(2) documentation of a local, tribal, county, or state disaster or emergency declaration in response to the disaster;~~
- ~~(3) a description of damages, an initial damage assessment, and the amount of eligible costs incurred by the applicant;~~
- ~~(4) a statement or evidence that the applicant has the ability to pay for at least 25 percent of total eligible costs incurred from the disaster; and~~
- ~~(5) a statement or evidence that the local government has incurred damages equal to or exceeding 50 percent of the federal countywide threshold in effect during the incident period.~~

(d) The director must review the application and supporting documentation for completeness and may return the application with a request for more detailed information. The director may consult with local public officials to ensure the application reflects the extent and magnitude of the damage and to reconcile any differences. The application is not complete until the director receives all requested information.

(e) If the director returns an application with a request for more detailed information or for correction of deficiencies, the applicant must submit all required information within 30 days of the applicant's receipt of the director's request. The applicant's failure to provide the requested information in a timely manner without a reasonable explanation may be cause for denial of the application.

(f) The director has no more than 60 days from the receipt of a complete application to approve or deny the application, or the application is deemed approved. If the director denies an application, the director must send a denial letter. If the director approves an application or the application is automatically deemed approved after 60 days, the director must notify the applicant of the steps necessary to obtain reimbursement of eligible costs, including submission of invoices or other documentation substantiating the costs submitted for reimbursement.

ARTICLE 8 CONTROLLED SUBSTANCES

Section 1. Minnesota Statutes 2014, section 152.02, subdivision 2, is amended to read:

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

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

- (1) acetylmethadol;
- (2) allylprodine;
- (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl acetate);
- (4) alphameprodine;
- (5) alphamethadol;
- (6) alpha-methylfentanyl benzethidine;
- (7) betacetylmethadol;

- (8) betameprodine;
- (9) betamethadol;
- (10) betaprodine;
- (11) clonitazene;
- (12) dextromoramide;
- (13) diampromide;
- (14) diethylambutene;
- (15) difenoxin;
- (16) dimenoxadol;
- (17) dimepheptanol;
- (18) dimethylambutene;
- (19) dioxaphetyl butyrate;
- (20) dipipanone;
- (21) ethylmethylthiambutene;
- (22) etonitazene;
- (23) etoxeridine;
- (24) furethidine;
- (25) hydroxypethidine;
- (26) ketobemidone;
- (27) levomoramide;
- (28) levophenacylmorphan;
- (29) 3-methylfentanyl;
- (30) acetyl-alpha-methylfentanyl;
- (31) alpha-methylthiofentanyl;
- (32) benzylfentanyl beta-hydroxyfentanyl;
- (33) beta-hydroxy-3-methylfentanyl;

- (34) 3-methylthiofentanyl;
- (35) thenylfentanyl;
- (36) thiofentanyl;
- (37) para-fluorofentanyl;
- (38) morpheridine;
- (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- (40) noracymethadol;
- (41) norlevorphanol;
- (42) normethadone;
- (43) norpipanone;
- (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- (45) phenadoxone;
- (46) phenampromide;
- (47) phenomorphan;
- (48) phenoperidine;
- (49) piritramide;
- (50) proheptazine;
- (51) properidine;
- (52) propiram;
- (53) racemoramide;
- (54) tilidine;
- (55) trimeperidine;
- (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl).

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

- (1) acetorphine;

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

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

- (1) methylenedioxy amphetamine;

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

- (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine (2-CB-FLY);
- (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- (40) alpha-methyltryptamine (AMT);
- (41) N,N-diisopropyltryptamine (DiPT);
- (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- (52) 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT);
- (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);

- (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- (57) methoxetamine (MXE);
- (58) 5-iodo-2-aminoindane (5-IAI);
- (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- ~~(60) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine~~
- (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);

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

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

- (1) mecloqualone;
- (2) methaqualone;
- (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- (4) flunitrazepam.

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

- (1) aminorex;

- (2) cathinone;
- (3) fenethylamine;
- (4) methcathinone;
- (5) methylaminorex;
- (6) N,N-dimethylamphetamine;
- (7) N-benzylpiperazine (BZP);
- (8) methylmethcathinone (mephedrone);
- (9) 3,4-methylenedioxy-N-methylcathinone (methylone);
- (10) methoxymethcathinone (methedrone);
- (11) methylenedioxypropylamphetamine (MDPV);
- (12) ~~fluoromethcathinone~~ 3-fluoro-N-methylcathinone (3-FMC);
- (13) methylethcathinone (MEC);
- (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- (15) dimethylmethcathinone (DMMC);
- (16) fluoroamphetamine;
- (17) fluoromethamphetamine;
- (18) α -methylaminobutyrophenone (MABP or buphedrone);
- (19) ~~β -keto-N-methylbenzodioxolylpropylamine (bk-MBDB or butylone)~~ 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- (21) ~~naphthylpyrovalerone (naphyrone)~~ 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or naphyrone);
- (22) ~~(RS)-1-phenyl-2-(1-pyrrolidinyl)-1-pentanone (alpha-PVP or alpha-pyrrolidinovalerophenone)~~ (alpha-pyrrolidinopentylphenone (alpha-PVP));
- (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP); ~~and~~
- (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- (25) 4-methyl-N-ethylcathinone (4-MEC);

(26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);

(27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);

(28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);

(29) 4-fluoro-N-methylcathinone (4-FMC);

(30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);

(31) alpha-pyrrolidinobutiophenone (α -PBP);

(32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);

(33) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); and

~~(24)~~ (34) any other substance, except bupropion or compounds listed under a different schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

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

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

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

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

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

(1) marijuana;

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

(3) synthetic cannabinoids, including the following substances:

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

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

- (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);
- (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
- (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
- (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
- (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);
- (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);
- (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);
- (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

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

- (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);
- (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

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

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

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

- (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);
- (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

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

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

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

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

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

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

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

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

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

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

(viii) Others specifically named:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 2. Minnesota Statutes 2014, section 152.02, subdivision 3, is amended to read:

Subd. 3. **Schedule II.** (a) Schedule II consists of the substances listed in this subdivision.

(b) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.

(i) Excluding:

(A) apomorphine;

(B) thebaine-derived butorphanol;

(C) dextrophan;

(D) nalbuphine;

(E) nalmeffene;

(F) naloxegol;

~~(F)~~ (G) naloxone;

~~(G)~~ (H) naltrexone; and

~~(H) and (I)~~ (I) their respective salts;

(ii) but including the following:

(A) opium, in all forms and extracts;

(B) codeine;

(C) dihydroetorphine;

(D) ethylmorphine;

(E) etorphine hydrochloride;

(F) hydrocodone;

(G) hydromorphone;

(H) metopon;

(I) morphine;

(J) oxycodone;

(K) oxymorphone;

(L) thebaine;

(M) oripavine;

(2) any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), except that these substances shall not include the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca leaves (including cocaine and ecgonine and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine;

(5) concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).

(c) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, or unless listed in another schedule, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) alfentanil;
- (2) alphaprodine;
- (3) anileridine;
- (4) bezitramide;
- (5) bulk dextropropoxyphene (nondosage forms);
- (6) carfentanil;
- (7) dihydrocodeine;
- (8) dihydromorphinone;
- (9) diphenoxylate;
- (10) fentanyl;
- (11) isomethadone;
- (12) levo-alpha-acetylmethadol (LAAM);
- (13) levomethorphan;
- (14) levorphanol;
- (15) metazocine;
- (16) methadone;
- (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- (18) moramide - intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid;
- (19) pethidine;
- (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;
- (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;
- (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

- (23) phenazocine;
- (24) piminodine;
- (25) racemethorphan;
- (26) racemorphan;
- (27) remifentaniol;
- (28) sufentaniol;
- (29) tapentadol;
- (30) 4-Anilino-N-phenethyl-4-piperidine (ANPP).

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (2) methamphetamine, its salts, isomers, and salts of its isomers;
- (3) phenmetrazine and its salts;
- (4) methylphenidate;
- (5) lisdexamfetamine.

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) amobarbital;
- (2) glutethimide;
- (3) secobarbital;
- (4) pentobarbital;
- (5) phencyclidine;
- (6) phencyclidine immediate precursors:
 - (i) 1-phenylcyclohexylamine;
 - (ii) 1-piperidinocyclohexanecarbonitrile;

(7) phenylacetone.

(f) Hallucinogenic substances: nabilone.

Sec. 3. Minnesota Statutes 2014, section 152.02, subdivision 4, is amended to read:

Subd. 4. **Schedule III.** (a) Schedule III consists of the substances listed in this subdivision.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system, including its salts, isomers, and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) benzphetamine;

(2) chlorphentermine;

(3) clortermine;

(4) phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(1) any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

(2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository;

(3) any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;

(4) any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the federal Food, Drug, and Cosmetic Act;

(5) any of the following substances:

(i) chlorhexadol;

(ii) ketamine, its salts, isomers and salts of isomers;

(iii) lysergic acid;

(iv) lysergic acid amide;

(v) methyprylon;

(vi) sulfondiethylmethane;

(vii) sulfonethylmethane;

(viii) sulfonmethane;

(ix) tiletamine and zolazepam and any salt thereof;

(x) embutramide;

(xi) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-Dihydropyridin-3-yl) benzonitrile].

(d) Nalorphine.

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

(1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

~~(3) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;~~

~~(4) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;~~

~~(5)~~ (3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

~~(6)~~ (4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

~~(7)~~ (5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

~~(8)~~ (6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(f) Anabolic steroids ~~and~~, human growth hormone, and chorionic gonadotropin.

(1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone, and includes:

(i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;

(ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;

(iii) androstenedione (5[alpha]-androstan-3,17-dione);

- (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-1-ene);
- (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);
- (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);
- (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);
- (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);
- (ix) 4-androstenedione (androst-4-en-3,17-dione);
- (x) 5-androstenedione (androst-5-en-3,17-dione);
- (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- (xiii) boldione (androsta-1,4-diene-3,17-dione);
- (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- (xvi) dehydrochloromethyltestosterone (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- (xviii) [delta]1-dihydrotestosterone- (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- (xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);
- (xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one);
- (xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostan[2,3-c]-furazan)13[beta]-ethyl-17[beta] -hydroxygon-4-en-3-one;
- (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one);
- (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one);
- (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);

- (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one);
- (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene);
- (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one)
- ~~(xxxii)~~ (xxxii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- ~~(xxxiii)~~ (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- ~~(xxxiiii)~~ (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- ~~(xxxv)~~ (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene;
- ~~(xxxvi)~~ (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);
- ~~(xxxvii)~~ (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one);
- ~~(xxxviii)~~ (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one);
- ~~(xxxix)~~ (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one);
- ~~(xl)~~ (xl) mibolone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one);
- ~~(xli)~~ (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone (17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one);
- ~~(xlii)~~ (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one);
- ~~(xliii)~~ (xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene);
- ~~(xliv)~~ (xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol (3[beta],17[beta]-dihydroxyestr-5-ene);
- ~~(xlv)~~ (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);
- ~~(xlvi)~~ (xlvi) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
- ~~(xlvii)~~ (xlvii) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- ~~(xlviii)~~ (xlviii) norbolethone (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one);
- ~~(xlviii)~~ (xlix) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one);
- ~~(xlix)~~ (l) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one);
- ~~(li)~~ (li) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one);
- ~~(lii)~~ (lii) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one);
- ~~(liii)~~ (liii) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one);

- ~~(liii)~~ (liv) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-5[alpha]-androst-3-one);
- (lv) prostanazol (17 beta-hydroxy-5 alpha-androstano[3,2-C]pyrazole
- ~~(liiv)~~ (lvi) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androst-2-eno[3,2-c]-pyrazole);
- ~~(liiv)~~ (lvii) stenbolone (17[beta]-hydroxy-2-methyl-5[alpha]-androst-1-en-3-one);
- ~~(liiv)~~ (lviii) testolactone (13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid lactone);
- ~~(liiii)~~ (lix) testosterone (17[beta]-hydroxyandrost-4-en-3-one);
- ~~(liiii)~~ (lx) tetrahydrogestrinone (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one);
- ~~(liix)~~ (lxi) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one);
- ~~(liix)~~ (lxii) any salt, ester, or ether of a drug or substance described in this paragraph.

Anabolic steroids are not included if they are: (A) expressly intended for administration through implants to cattle or other nonhuman species; and (B) approved by the United States Food and Drug Administration for that use;

(2) Human growth hormones.

(3) Chorionic gonadotropin.

(g) Hallucinogenic substances. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved product.

(h) Any material, compound, mixture, or preparation containing the following narcotic drug or its salt: buprenorphine.

Sec. 4. Minnesota Statutes 2014, section 152.02, subdivision 5, is amended to read:

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

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

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

(2) dextropropoxyphene (Darvon and Darvocet);

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

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

(1) Alfaxalone (5 α -pregnan-3 α -ol-11,20-dione);

- (1) (2) alprazolam;
- (2) (3) barbital;
- (3) (4) bromazepam;
- (4) (5) camazepam;
- (5) (6) carisoprodol;
- (6) (7) chloral betaine;
- (7) (8) chloral hydrate;
- (8) (9) chlordiazepoxide;
- (9) (10) clobazam;
- (10) (11) clonazepam;
- (11) (12) clorazepate;
- (12) (13) clotiazepam;
- (13) (14) cloxazolam;
- (14) (15) delorazepam;
- (15) (16) diazepam;
- (16) (17) dichloralphenazone;
- (17) (18) estazolam;
- (18) (19) ethchlorvynol;
- (19) (20) ethinamate;
- (20) (21) ethyl loflazepate;
- (21) (22) fludiazepam;
- (22) (23) flurazepam;
- (23) (24) fospropofol
- (24) (25) halazepam;
- (25) (26) haloxazolam;
- (26) (27) ketazolam;

- (~~26~~) (28) loprazolam;
- (~~27~~) (29) lorazepam;
- (~~28~~) (30) lormetazepam mebutamate;
- (~~29~~) (31) medazepam;
- (~~30~~) (32) meprobamate;
- (~~31~~) (33) methohexital;
- (~~32~~) (34) methylphenobarbital;
- (~~33~~) (35) midazolam;
- (~~34~~) (36) nimetazepam;
- (~~35~~) ~~nitrazepam~~~~nordiazepam~~ (37) nitrazepam;
- (38) nordiazepam;
- (~~36~~) (39) oxazepam;
- (~~37~~) (40) oxazolam;
- (~~38~~) ~~paraldehyde~~~~petrichloral~~ (41) paraldehyde;
- (42) petrichloral;
- (~~39~~) (43) phenobarbital;
- (~~40~~) (44) pinazepam;
- (~~41~~) (45) prazepam;
- (~~42~~) (46) quazepam;
- (47) Suvorexant;
- (~~43~~) (48) temazepam;
- (~~44~~) (49) tetrazepam;
- (~~45~~) (50) triazolam;
- (~~46~~) (51) zaleplon;
- (~~47~~) (52) zolpidem;
- (~~48~~) (53) zopiclone.

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

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

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

(f) lorcaserin.

Sec. 5. Minnesota Statutes 2014, section 152.02, subdivision 6, is amended to read:

Subd. 6. **Schedule V; restrictions on methamphetamine precursor drugs.** (a) As used in this subdivision, the following terms have the meanings given:

(1) "methamphetamine precursor drug" means any compound, mixture, or preparation intended for human consumption containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients; and

(2) "over-the-counter sale" means a retail sale of a drug or product but does not include the sale of a drug or product pursuant to the terms of a valid prescription.

(b) The following items are listed in Schedule V:

(1) any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (i) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

(ii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

(iii) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

(iv) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; or

(v) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(2) Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substance having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers: pyrovalerone.

(3) Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substance having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(i) ezogabine;

(ii) pregabalin;

(iii) lacosamide.

(4) Any compound, mixture, or preparation containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients.

(c) No person may sell in a single over-the-counter sale more than two packages of a methamphetamine precursor drug or a combination of methamphetamine precursor drugs or any combination of packages exceeding a total weight of six grams, calculated as the base.

(d) Over-the-counter sales of methamphetamine precursor drugs are limited to:

(1) packages containing not more than a total of three grams of one or more methamphetamine precursor drugs, calculated in terms of ephedrine base or pseudoephedrine base; or

(2) for nonliquid products, sales in blister packs, where each blister contains not more than two dosage units, or, if the use of blister packs is not technically feasible, sales in unit dose packets or pouches.

(e) A business establishment that offers for sale methamphetamine precursor drugs in an over-the-counter sale shall ensure that all packages of the drugs are displayed behind a checkout counter where the public is not permitted and are offered for sale only by a licensed pharmacist, a registered pharmacy technician, or a pharmacy clerk. The establishment shall ensure that the person making the sale requires the buyer:

(1) to provide photographic identification showing the buyer's date of birth; and

(2) to sign a written or electronic document detailing the date of the sale, the name of the buyer, and the amount of the drug sold.

A document described under clause (2) must be retained by the establishment for at least three years and must at all reasonable times be open to the inspection of any law enforcement agency.

Nothing in this paragraph requires the buyer to obtain a prescription for the drug's purchase.

(f) No person may acquire through over-the-counter sales more than six grams of methamphetamine precursor drugs, calculated as the base, within a 30-day period.

(g) No person may sell in an over-the-counter sale a methamphetamine precursor drug to a person under the age of 18 years. It is an affirmative defense to a charge under this paragraph if the defendant proves by a preponderance of the evidence that the defendant reasonably and in good faith relied on proof of age as described in section 340A.503, subdivision 6.

(h) A person who knowingly violates paragraph (c), (d), (e), (f), or (g) is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days, or to payment of a fine of not more than \$1,000, or both.

(i) An owner, operator, supervisor, or manager of a business establishment that offers for sale methamphetamine precursor drugs whose employee or agent is convicted of or charged with violating paragraph (c), (d), (e), (f), or (g) is not subject to the criminal penalties for violating any of those paragraphs if the person:

(1) did not have prior knowledge of, participate in, or direct the employee or agent to commit the violation; and

(2) documents that an employee training program was in place to provide the employee or agent with information on the state and federal laws and regulations regarding methamphetamine precursor drugs.

(j) Any person employed by a business establishment that offers for sale methamphetamine precursor drugs who sells such a drug to any person in a suspicious transaction shall report the transaction to the owner, supervisor, or manager of the establishment. The owner, supervisor, or manager may report the transaction to local law enforcement. A person who reports information under this subdivision in good faith is immune from civil liability relating to the report.

(k) Paragraphs (b) to (j) do not apply to:

(1) pediatric products labeled pursuant to federal regulation primarily intended for administration to children under 12 years of age according to label instructions;

(2) methamphetamine precursor drugs that are certified by the Board of Pharmacy as being manufactured in a manner that prevents the drug from being used to manufacture methamphetamine;

(3) methamphetamine precursor drugs in gel capsule or liquid form; or

(4) compounds, mixtures, or preparations in powder form where pseudoephedrine constitutes less than one percent of its total weight and is not its sole active ingredient.

(l) The Board of Pharmacy, in consultation with the Department of Public Safety, shall certify methamphetamine precursor drugs that meet the requirements of paragraph (k), clause (2), and publish an annual listing of these drugs.

(m) Wholesale drug distributors licensed and regulated by the Board of Pharmacy pursuant to sections 151.42 to 151.51 and registered with and regulated by the United States Drug Enforcement Administration are exempt from the methamphetamine precursor drug storage requirements of this section.

(n) This section preempts all local ordinances or regulations governing the sale by a business establishment of over-the-counter products containing ephedrine or pseudoephedrine. All ordinances enacted prior to the effective date of this act are void."

Delete the title and insert:

"A bill for an act relating to public safety; modifying certain provisions relating to courts, public safety, firefighters, corrections, crime, disaster assistance, and controlled substances; requesting reports; providing for penalties; appropriating money for public safety, courts, corrections, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, and Sentencing Guidelines; amending Minnesota Statutes 2014, sections 5B.11; 12.221, subdivision 6; 12A.15, subdivision 1; 12B.15, subdivision 2, by adding a subdivision; 12B.25, subdivision 1; 12B.40; 13.03, subdivision 6; 13.82, subdivision 17; 43A.241; 152.02, subdivisions 2, 3, 4, 5, 6; 168A.1501, subdivisions 1, 6; 169.13, subdivisions 1, 3; 169A.03, subdivision 3; 169A.07; 169A.275, subdivision 5; 169A.285, subdivision 1; 169A.46, subdivision 1; 169A.53, subdivision 3; 181.06, subdivision 2; 181.101; 241.88, subdivision 1, by adding a subdivision; 241.89, subdivisions 1, 2; 243.166, subdivision 1b; 244.05, by adding a subdivision; 244.15, subdivision 6; 253B.08, subdivision 2a; 253B.12, subdivision 2a; 253D.28, subdivision 2; 260B.198, by adding a subdivision; 271.08, subdivision 1; 271.21, subdivision 2; 299A.73, subdivision 2; 299C.35; 299C.38; 299C.46, subdivisions 2, 2a; 299F.012, subdivision 1; 299N.02, subdivision 2; 299N.03, subdivisions 5, 6, 7; 299N.04, subdivision 3; 299N.05, subdivisions 1, 5, 6, 7, 8; 325E.21, subdivisions 1, 2; 352B.011, subdivision 10; 401.10, subdivision 1; 486.10, subdivisions 2, 3; 549.09, subdivision 1; 609.1095, subdivision 1; 609.2111; 609.2112, subdivision 1; 609.2114, subdivision 1; 609.2231, subdivision 3a; 609.324, subdivision 1; 609.325, subdivision 4, by adding a subdivision; 609.3451, subdivision 1; 609.3471; 609.531, subdivision 1; 609.564; 609.5641, subdivision 1a; 609.66, subdivision 1g; 609.746, by adding a subdivision; 609.765; 611A.26, subdivisions 1, 6; 611A.31, subdivision 1; 611A.33; 611A.35; 617.242, subdivision 6; 624.71; 624.714, subdivision 16; 628.26; 631.461; Laws 2013, chapter 86, article 1, sections 7; 9; proposing coding for new law in Minnesota Statutes, chapters 299C; 299N; 609; 624; repealing Minnesota Statutes 2014, sections 168A.1501, subdivisions 5, 5a; 299C.36; 299N.05, subdivision 3; 325E.21, subdivisions 1c, 1d; Laws 2014, chapter 190, sections 10; 11."

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

The report was adopted.

Hamilton from the Committee on Agriculture Finance to which was referred:

H. F. No. 2040, A bill for an act relating to agriculture; appropriating money for the Board of Animal Health.

Reported the same back with the following amendments:

Page 1, line 5, delete "\$5,263,000" and insert "\$5,318,000" and delete "\$5,272,000" and insert "\$5,384,000"

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 4, H. F. No. 2040 was re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF SENATE BILLS

S. F. Nos. 1081, 1147 and 1741 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Miller and Hamilton introduced:

H. F. No. 2224, A bill for an act relating to agriculture; appropriating money for the avian influenza emergency response activities.

The bill was read for the first time and referred to the Committee on Agriculture Finance.

Bly; Poppe; Johnson, C., and Hansen introduced:

H. F. No. 2225, A bill for an act relating to agriculture; appropriating money for avian influenza emergency response activities.

The bill was read for the first time and referred to the Committee on Agriculture Finance.

Murphy, E., introduced:

H. F. No. 2226, A bill for an act relating to education finance; encouraging a digital home visiting program; authorizing microgrants for curricular development; creating a system to manage voluntary distribution of early childhood family education curricula; appropriating money; amending Minnesota Statutes 2014, section 124D.13.

The bill was read for the first time and referred to the Committee on Education Finance.

Lesch; Davids; Slocum; Erhardt; Sanders; Atkins; Simonson; Anderson, S., and Loon introduced:

H. F. No. 2227, A bill for an act relating to taxation; individual income; providing a film production tax credit; appropriating money; amending Minnesota Statutes 2014, section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Hilstrom introduced:

H. F. No. 2228, A bill for an act relating to employment; prohibiting abusive work environment practices and establishing remedies; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Hortman; Schultz; Norton; Lien; Youakim; Ward; Rosenthal; Freiberg; Applebaum; Wagenius; Slocum; Dehn, R.; Hausman; Carlson; Murphy, E.; Yarusso and Considine introduced:

H. F. No. 2229, A bill for an act relating to higher education; increasing the amount and availability of the state grant; allowing a student loan refundable credit; appropriating money for tuition relief; appropriating money for the student loan refinancing program; amending Minnesota Statutes 2014, section 136A.101, subdivision 5a; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Higher Education Policy and Finance.

Kresha introduced:

H. F. No. 2230, A bill for an act relating to state government; requiring school employees and districts covered through public employees insurance program to meet certain group insurance requirements; amending Minnesota Statutes 2014, section 471.6161, subdivision 8.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Nash introduced:

H. F. No. 2231, A bill for an act relating to state government; changing a grant agreement provision; amending Minnesota Statutes 2014, section 16B.97, subdivision 1.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Miller introduced:

H. F. No. 2232, A bill for an act relating to state government; requiring the commissioner of administration to maintain a tracking system of new agency projects over a certain amount; proposing coding for new law in Minnesota Statutes, chapter 16A.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Schultz, Simonson, Hausman and Murphy, M., introduced:

H. F. No. 2233, A bill for an act relating to capital investment; appropriating money for a grant to the city of Duluth for transitional housing and community services for homeless youth; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Rarick introduced:

H. F. No. 2234, A bill for an act relating to state government; specifying termination of a grant agreement under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Albright introduced:

H. F. No. 2235, A bill for an act relating to workers' compensation; adopting recommendations of the workers' compensation advisory council regarding inpatient hospital payments; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2014, section 176.136, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 176.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 794, A bill for an act relating to surveying; streamlining and simplifying statutory sections; making technical and conforming changes; amending Minnesota Statutes 2014, sections 160.15, subdivisions 1, 3; 358.47; 381.12; 389.09, subdivision 1; 505.021, subdivisions 1, 5, 7, 9; 505.04; 505.1792, subdivision 1; 507.093; 508.47, subdivision 4; 508A.47, subdivision 4; repealing Minnesota Statutes 2014, sections 160.15, subdivisions 2, 4, 5; 389.09, subdivision 2.

JOANNE M. ZOFF, Secretary of the Senate

CONCURRENCE AND REPASSAGE

O'Driscoll moved that the House concur in the Senate amendments to H. F. No. 794 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 794, A bill for an act relating to surveying; streamlining and simplifying statutory sections; making technical and conforming changes; amending Minnesota Statutes 2014, sections 160.15, subdivisions 1, 3; 358.47; 381.12; 389.09, subdivision 1; 505.021, subdivisions 1, 5, 7, 9; 505.04; 505.1792, subdivision 1; 507.093; 508.47, subdivision 4; 508A.47, subdivision 4; repealing Minnesota Statutes 2014, sections 160.15, subdivisions 2, 4, 5; 389.09, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1238.

JOANNE M. ZOFF, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1238, A bill for an act relating to liquor; recodifying statutes related to certain licensees; regulating the sale and distribution of alcoholic beverages; authorizing various liquor licenses; amending Minnesota Statutes 2014, sections 340A.101, by adding a subdivision; 340A.22; 340A.301; 340A.404, subdivisions 2, 10; 340A.503, subdivision 6; 340A.504, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 340A.

The bill was read for the first time.

Sanders moved that S. F. No. 1238 and H. F. No. 1090, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CALENDAR FOR THE DAY

H. F. No. 830, A bill for an act relating to public safety; permitting sale and purchase of firearms in any state where lawful under federal Gun Control Act; amending Minnesota Statutes 2014, section 624.71.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 110 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Albright	Dill	Hoppe	Mack	Persell	Swedzinski
Anderson, M.	Drazkowski	Hortman	Marquart	Petersburg	Theis
Anderson, P.	Erhardt	Howe	Masin	Peterson	Thissen
Anderson, S.	Erickson	Isaacson	McNamara	Pierson	Torkelson
Anzels	Fabian	Johnson, B.	Melin	Pinto	Uglen
Atkins	Fenton	Johnson, C.	Metsa	Poppe	Urdahl
Backer	Fischer	Kelly	Miller	Pugh	Vogel
Baker	Franson	Kiel	Mullery	Quam	Ward
Barrett	Garofalo	Knoblach	Murphy, E.	Rarick	Whelan
Bennett	Green	Koznick	Murphy, M.	Rosenthal	Wills
Carlson	Gruenhagen	Kresha	Nash	Runbeck	Winkler
Christensen	Gunther	Lien	Nelson	Sanders	Yarusso
Considine	Hackbarth	Lillie	Newberger	Schoen	Youakim
Cornish	Hamilton	Loeffler	Newton	Schomacker	Zerwas
Daniels	Hancock	Lohmer	Nornes	Scott	Spk. Daudt
Davids	Hansen	Loon	O'Driscoll	Selcer	
Davnie	Heintzeman	Loonan	O'Neill	Simonson	
Dean, M.	Hertaus	Lucero	Pelowski	Smith	
Dettmer	Hilstrom	Lueck	Peppin	Sundin	

Those who voted in the negative were:

Allen	Clark	Hornstein	Lenczewski	Schultz
Applebaum	Dehn, R.	Johnson, S.	Liebling	Slocum
Bernardy	Freiberg	Kahn	Mahoney	Wagenius
Bly	Hausman	Laine	Norton	

The bill was passed and its title agreed to.

Dill was excused between the hours of 3:50 p.m. and 4:35 p.m.

H. F. No. 372 was reported to the House.

Schoen offered an amendment to H. F. No. 372.

POINT OF ORDER

Albright raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Schoen amendment was not in order. The Speaker ruled the point of order well taken and the Schoen amendment out of order.

Thissen appealed the decision of the Speaker.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" It was the judgment of the House that the decision of the Speaker should stand.

H. F. No. 372, A bill for an act relating to public safety; amending the requirement to provide notice of possession of firearms at the Capitol complex; amending Minnesota Statutes 2014, section 609.66, subdivision 1g.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hilstrom	Lueck	Peppin	Swedzinski
Anderson, M.	Drazkowski	Hoppe	Mack	Persell	Theis
Anderson, P.	Erickson	Howe	Marquart	Petersburg	Torkelson
Anderson, S.	Fabian	Johnson, B.	McNamara	Peterson	Uglem
Anzelc	Fenton	Johnson, C.	Melin	Pierson	Urdahl
Atkins	Fischer	Kelly	Metsa	Poppe	Vogel
Backer	Franson	Kiel	Miller	Pugh	Ward
Baker	Garofalo	Knoblach	Murphy, M.	Quam	Whelan
Barrett	Green	Koznick	Nash	Rarick	Wills
Bennett	Gruenhagen	Kresha	Nelson	Runbeck	Winkler
Christensen	Gunther	Lien	Newberger	Sanders	Zerwas
Considine	Hackbarth	Lillie	Newton	Schoen	Spk. Daudt
Cornish	Hamilton	Lohmer	Nornes	Schomacker	
Daniels	Hancock	Loon	O'Driscoll	Scott	
Davids	Heintzeman	Loonan	O'Neill	Smith	
Dean, M.	Hertaus	Lucero	Pelowski	Sundin	

Those who voted in the negative were:

Allen	Dehn, R.	Isaacson	Mahoney	Pinto	Wagenius
Applebaum	Erhardt	Johnson, S.	Mariani	Rosenthal	Yarusso
Bernardy	Freiberg	Kahn	Masin	Schultz	Youakim
Bly	Hansen	Laine	Moran	Selcer	
Carlson	Hausman	Lenczewski	Mullery	Simonson	
Clark	Hornstein	Liebling	Murphy, E.	Slocum	
Davnie	Hortman	Loeffler	Norton	Thissen	

The bill was passed and its title agreed to.

H. F. No. 722 was reported to the House.

Schoen moved to amend H. F. No. 722 as follows:

Page 2, line 19, after "against" insert "the employer of"

Page 2, after line 29, insert:

"(4) A peace officer is subject to the same legal standards for personal liability under this section as apply when there is not a state of emergency."

A roll call was requested and properly seconded.

The question was taken on the Schoen amendment and the roll was called. There were 45 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Johnson, S.	Masin	Rosenthal	Wagenius
Applebaum	Fischer	Kahn	Moran	Schoen	Ward
Bly	Freiberg	Laine	Mullery	Schultz	Winkler
Carlson	Hansen	Lenczewski	Murphy, E.	Selcer	Yarusso
Clark	Hausman	Liebling	Nelson	Simonson	Youakim
Considine	Hornstein	Loeffler	Norton	Slocum	
Davnie	Hortman	Mahoney	Persell	Sundin	
Dehn, R.	Johnson, C.	Mariani	Pinto	Thissen	

Those who voted in the negative were:

Albright	Dean, M.	Hertaus	Loonan	O'Neill	Swedzinski
Anderson, M.	Dettmer	Hilstrom	Lucero	Pelowski	Theis
Anderson, P.	Drazkowski	Hoppe	Lueck	Peppin	Torkelson
Anderson, S.	Erickson	Howe	Mack	Petersburg	Uglen
Anzelc	Fabian	Isaacson	Marquart	Peterson	Urdahl
Atkins	Fenton	Johnson, B.	McNamara	Pierson	Vogel
Backer	Franson	Kelly	Melin	Poppe	Whelan
Baker	Garofalo	Kiel	Metsa	Pugh	Wills
Barrett	Green	Knoblach	Miller	Quam	Zerwas
Bennett	Gruenhagen	Koznick	Murphy, M.	Rarick	Spk. Daudt
Bernardy	Gunther	Kresha	Nash	Runbeck	
Christensen	Hackbarth	Lien	Newberger	Sanders	
Cornish	Hamilton	Lillie	Newton	Schomacker	
Daniels	Hancock	Lohmer	Nornes	Scott	
Davids	Heintzeman	Loon	O'Driscoll	Smith	

The motion did not prevail and the amendment was not adopted.

Schoen moved to amend H. F. No. 722 as follows:

Page 2, after line 29, insert:

"(f) Nothing in this section shall limit the authority of a licensed peace officer to prohibit a person from entering a disaster area with a firearm."

A roll call was requested and properly seconded.

The question was taken on the Schoen amendment and the roll was called. There were 45 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Johnson, C.	Mariani	Rosenthal	Wagenius
Applebaum	Fischer	Johnson, S.	Moran	Schoen	Ward
Bly	Freiberg	Kahn	Mullery	Schultz	Winkler
Carlson	Hansen	Laine	Murphy, E.	Selcer	Yarusso
Clark	Hausman	Lenczewski	Nelson	Simonson	Youakim
Considine	Hornstein	Liebling	Norton	Slocum	
Davnie	Hortman	Loeffler	Persell	Sundin	
Dehn, R.	Isaacson	Mahoney	Pinto	Thissen	

Those who voted in the negative were:

Albright	Dean, M.	Hertaus	Lucero	O'Neill	Swedzinski
Anderson, M.	Dettmer	Hilstrom	Lueck	Pelowski	Theis
Anderson, P.	Drazkowski	Hoppe	Mack	Peppin	Torkelson
Anderson, S.	Erickson	Howe	Marquart	Petersburg	Uglen
Anzelc	Fabian	Johnson, B.	Masin	Peterson	Urdahl
Atkins	Fenton	Kelly	McNamara	Pierson	Vogel
Backer	Franson	Kiel	Melin	Poppe	Whelan
Baker	Garofalo	Knoblach	Metsa	Pugh	Wills
Barrett	Green	Koznick	Miller	Quam	Zerwas
Bennett	Gruenhagen	Kresha	Murphy, M.	Rarick	Spk. Daudt
Bernardy	Gunther	Lien	Nash	Runbeck	
Christensen	Hackbarth	Lillie	Newberger	Sanders	
Cornish	Hamilton	Lohmer	Newton	Schomacker	
Daniels	Hancock	Loon	Nornes	Scott	
Davids	Heintzeman	Loonan	O'Driscoll	Smith	

The motion did not prevail and the amendment was not adopted.

H. F. No. 722, A bill for an act relating to public safety; clarifying and delimiting the authority of public officials to disarm individuals at any time; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 88 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Albright	Anderson, S.	Backer	Bennett	Daniels	Dettmer
Anderson, M.	Anzelc	Baker	Christensen	Davids	Drazkowski
Anderson, P.	Atkins	Barrett	Cornish	Dean, M.	Erickson

Fabian	Hertaus	Lillie	Miller	Peterson	Swedzinski
Fenton	Hilstrom	Lohmer	Murphy, M.	Pierson	Theis
Franson	Hoppe	Loon	Nash	Poppe	Torkelson
Garofalo	Hortman	Loonan	Newberger	Pugh	Uglen
Green	Howe	Lucero	Newton	Quam	Urdahl
Gruenhagen	Johnson, B.	Lueck	Nornes	Rarick	Vogel
Gunther	Kelly	Mack	O'Driscoll	Runbeck	Whelan
Hackbarth	Kiel	Marquart	O'Neill	Sanders	Wills
Hamilton	Knoblach	Masin	Pelowski	Schomacker	Zerwas
Hancock	Koznick	McNamara	Peppin	Scott	Spk. Daudt
Hansen	Kresha	Melin	Persell	Smith	
Heintzeman	Lien	Metsa	Petersburg	Sundin	

Those who voted in the negative were:

Allen	Davnie	Isaacson	Loeffler	Norton	Slocum
Applebaum	Dehn, R.	Johnson, C.	Mahoney	Pinto	Thissen
Bernardy	Erhardt	Johnson, S.	Mariani	Rosenthal	Wagenius
Bly	Fischer	Kahn	Moran	Schoen	Ward
Carlson	Freiberg	Laine	Mullery	Schultz	Winkler
Clark	Hausman	Lenczewski	Murphy, E.	Selcer	Yarusso
Considine	Hornstein	Liebling	Nelson	Simonson	Youakim

The bill was passed and its title agreed to.

Mack and Peterson were excused for the remainder of today's session.

H. F. No. 1434 was reported to the House.

Dehn, R., moved to amend H. F. No. 1434, the first engrossment, as follows:

Page 3, after line 23, insert:

"Sec. 4. Minnesota Statutes 2014, section 624.7132, is amended by adding a subdivision to read:

Subd. 7a. **Background check required.** A transferor may not transfer a firearm to a transferee unless the transferee possesses a valid transferee permit or a valid permit to carry a pistol issued under section 624.714.

Sec. 5. Minnesota Statutes 2014, section 624.7132, subdivision 12, is amended to read:

Subd. 12. **Exclusions.** (a) For purposes of this subdivision, "relative" means a spouse, parent, stepparent, child, stepchild, brother, sister, grandparent, or grandchild by blood or marriage.

~~Except as otherwise provided in section 609.66, subdivision 1f, (b) This section shall not apply to transfers of antique firearms as curiosities or for their historical significance or value, transfers to or between federally licensed firearms dealers, transfers by order of court, involuntary transfers, transfers at death or the following transfers:~~

(1) a transfer by a person ~~other than a federally licensed firearms dealer~~ to a relative who is not ineligible to possess a firearm under state or federal law;

(2) a loan to a prospective transferee if the loan is intended for a period of no more than one day;

(3) the delivery of a pistol or semiautomatic military-style assault weapon to a person for the purpose of repair, reconditioning or remodeling;

(4) a loan by a teacher to a student in a course designed to teach marksmanship or safety with a pistol and approved by the commissioner of natural resources;

(5) a loan between persons at a firearms collectors exhibition if the loan is intended for a period of no more than 24 hours;

(6) a loan between persons lawfully engaged in hunting or target shooting if the loan is intended for a period of no more than 12 hours;

(7) a loan between law enforcement officers who have the power to make arrests other than citizen arrests; and

(8) a loan between employees or between the employer and an employee in a business if the employee is required to carry a pistol or semiautomatic military-style assault weapon by reason of employment and is the holder of a valid permit to carry a pistol."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Dehn, R., moved to amend the Dehn, R., amendment to H. F. No. 1434, the first engrossment, as follows:

Page 1, after line 2, insert:

"Sec. 4 Minnesota Statutes 2014, section 609.66, is amended by adding a subdivision to read:

Subd. 1j. **Transfer without background check.** A transferor who sells or voluntarily transfers a firearm to a transferee in violation of section 624.7133:

(1) for a first conviction, shall be guilty of a misdemeanor; and

(2) for a second or subsequent conviction, shall be guilty of a gross misdemeanor.

Sec. 5 Minnesota Statutes 2014, section 624.712, subdivision 6, is amended to read:

Subd. 6. **Transfer.** "Transfer" means a sale, gift, loan, assignment or other delivery to another, whether or not for consideration, of a pistol or semiautomatic military-style assault weapon or the frame or receiver of a pistol or semiautomatic military-style assault weapon; or as such term is used in section 624.7133, of any firearm."

Page 1, line 3, delete "624.7132" and insert "609.66"

Page 1, line 5, delete "Subd. 7a." and insert "Subd. 3." and before "A" insert "Except as otherwise provided in chapter 624."

Page 1, line 12, after "section" insert "and section 609.66, subdivision 3."

Page 2, after line 7, insert:

"Sec. 6 **[624.7133] TRANSFERS BY UNLICENSED PERSONS; BACKGROUND CHECK REQUIRED.**

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

(b) "Federally licensed firearms dealer" means a person who holds a license under United States Code, title 18, section 923(a).

(c) "Transferee" means an unlicensed person who wishes or intends to receive a firearm from another unlicensed person.

(d) "Transferor" means an unlicensed person who wishes or intends to transfer a firearm to another unlicensed person.

(e) "Unlicensed person" means a person who does not hold a license under United States Code, title 18, section 923(a).

Subd. 2. **Background check required.** Except as provided in this section, a transferor shall not transfer a firearm to a transferee unless he or she first complies with this section.

Subd. 3. **Federally licensed firearms dealer.** The transferor and transferee shall appear jointly before a federally licensed firearms dealer with the firearm and request that the federally licensed firearms dealer conduct a background check on the transferee.

Subd. 4. **Compliance with law.** A federally licensed firearms dealer who agrees to facilitate a transfer pursuant to this section shall comply with all requirements of federal and state law as though the federally licensed firearms dealer were selling or transferring the firearm from his or her own inventory to the transferee, except as otherwise provided in this section. The transferor may remove the firearm from the business premises of the federally licensed firearms dealer while the background check is being conducted, but then must return to such business premises with the transferee once the background check is completed and prior to completing the sale or transfer.

Subd. 5. **Transfer prohibited.** If the transferee is prohibited by federal law from purchasing or possessing the firearm, or not entitled under state law to possess the firearm, the federally licensed firearms dealer shall return the firearm to the transferor and the transferor shall not transfer the firearm to the transferee.

Subd. 6. **Dealer fee.** A federally licensed firearms dealer may charge a reasonable fee for conducting a criminal background check and facilitating a transfer between the transferor and transferee pursuant to this section.

Subd. 7. **Exclusions.** This section shall not apply to the following transfers:

(1) a transfer by or to any law enforcement agency and, to the extent he or she is acting within the course and scope of his or her employment and official duties, any law enforcement officer, security guard employed by a protective agent licensed pursuant as provided in chapter 326, or member of the armed forces;

(2) a transfer between immediate family members, which for the purposes of this section means spouses, domestic partners, parents, step-parents, children, step-children, siblings, step-siblings, grandparents, step-grandparents, grandchildren, and step-grandchildren;

(3) a transfer to an executor, administrator, trustee, or personal representative of an estate or a trust that occurs by operation of law upon the death of the former owner of the firearm;

(4) a temporary transfer to a transferee who is not prohibited by federal law from purchasing or possessing firearms, and entitled under state law to possess firearms, if such transfer:

(i) is necessary to prevent imminent death or great bodily harm; and

(ii) lasts only as long as immediately necessary to prevent such imminent death or great bodily harm; and

(5) a temporary transfer to a transferee who is not prohibited by federal law from buying or possessing firearms, and entitled under state law to possess firearms, if the transferor has no reason to believe that the transferee will use or intends to use the firearm in the commission of a crime and such transfer occurs and the transferee's possession of the firearm following the transfer is exclusively:

(i) at a shooting range or other area designed and built for the purpose of target shooting;

(ii) while hunting or trapping if the hunting or trapping is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting or trapping; or

(iii) while in the presence of the transferor."

A roll call was requested and properly seconded.

The question was taken on the Dehn, R., amendment to the Dehn, R., amendment and the roll was called. There were 42 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Johnson, C.	Loeffler	Norton	Sundin
Applebaum	Erhardt	Johnson, S.	Mahoney	Pinto	Thissen
Bernardy	Fischer	Kahn	Mariani	Rosenthal	Wagenius
Bly	Freiberg	Laine	Masin	Schoen	Ward
Carlson	Hausman	Lenczewski	Moran	Schultz	Winkler
Clark	Hornstein	Liebling	Mullery	Selcer	Yarusso
Davnie	Hortman	Lien	Murphy, E.	Slocum	Youakim

Those who voted in the negative were:

Albright	Barrett	Draskowski	Gunther	Hoppe	Kresha
Anderson, M.	Bennett	Erickson	Hackbarth	Howe	Lillie
Anderson, P.	Christensen	Fabian	Hamilton	Isaacson	Lohmer
Anderson, S.	Cornish	Fenton	Hancock	Johnson, B.	Loon
Anzelc	Daniels	Franson	Hansen	Kelly	Loonan
Atkins	Dauids	Garofalo	Heintzeman	Kiel	Lucero
Backer	Dean, M.	Green	Hertaus	Knoblach	Lueck
Baker	Dettmer	Gruenhagen	Hilstrom	Koznick	Marquart

McNamara	Newberger	Persell	Runbeck	Theis	Zerwas
Melin	Newton	Petersburg	Sanders	Torkelson	Spk. Daudt
Metsa	Nornes	Pierson	Schomacker	Uglem	
Miller	O'Driscoll	Poppe	Scott	Urdahl	
Murphy, M.	O'Neill	Pugh	Simonson	Vogel	
Nash	Pelowski	Quam	Smith	Whelan	
Nelson	Peppin	Rarick	Swedzinski	Wills	

The motion did not prevail and the amendment to the amendment was not adopted.

CALL OF THE HOUSE

On the motion of Thissen and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Peppin moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Dehn, R., amendment and the roll was called. There were 45 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Isaacson	Lillie	Norton	Wagenius
Applebaum	Erhardt	Johnson, C.	Loeffler	Pinto	Ward
Bernardy	Fischer	Johnson, S.	Mahoney	Rosenthal	Winkler
Bly	Freiberg	Kahn	Mariani	Schoen	Yarusso
Carlson	Hansen	Laine	Masin	Schultz	Youakim
Clark	Hausman	Lenczewski	Moran	Selcer	
Considine	Hornstein	Liebling	Mullery	Slocum	
Davnie	Hortman	Lien	Murphy, E.	Sundin	

Those who voted in the negative were:

Albright	Dean, M.	Hancock	Loonan	O'Driscoll	Scott
Anderson, M.	Dettmer	Heintzeman	Lucero	O'Neill	Simonson
Anderson, P.	Dill	Hertaus	Lueck	Pelowski	Smith
Anderson, S.	Drazkowski	Hilstrom	Marquart	Peppin	Swedzinski
Anzelc	Erickson	Hoppe	McNamara	Persell	Theis
Atkins	Fabian	Howe	Melin	Petersburg	Thissen
Backer	Fenton	Johnson, B.	Metsa	Pierson	Torkelson
Baker	Franson	Kelly	Miller	Poppe	Uglen
Barrett	Garofalo	Kiel	Murphy, M.	Pugh	Urdahl
Bennett	Green	Knoblach	Nash	Quam	Vogel
Christensen	Gruenhagen	Koznick	Nelson	Rarick	Whelan
Cornish	Gunther	Kresha	Newberger	Runbeck	Wills
Daniels	Hackbarth	Lohmer	Newton	Sanders	Zerwas
Davids	Hamilton	Loon	Nornes	Schomacker	Spk. Daudt

The motion did not prevail and the amendment was not adopted.

H. F. No. 1434, A bill for an act relating to firearms; repealing prohibitions on the possession and use of suppressors; requiring chief law enforcement officers to complete federal certifications relating to suppressors in a timely manner; providing for an appeal process for denial of certification; amending Minnesota Statutes 2014, sections 97B.031, subdivision 4; 609.66, subdivision 1a, by adding a subdivision; repealing Minnesota Statutes 2014, section 609.66, subdivision 1h.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 89 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hansen	Loon	O'Neill	Simonson
Anderson, M.	Dill	Heintzeman	Loonan	Pelowski	Smith
Anderson, P.	Drazkowski	Hertaus	Lucero	Peppin	Sundin
Anderson, S.	Erickson	Hilstrom	Lueck	Persell	Swedzinski
Anzelc	Fabian	Hoppe	Marquart	Petersburg	Theis
Atkins	Fenton	Hortman	McNamara	Pierson	Torkelson
Backer	Fischer	Howe	Melin	Poppe	Uglen
Baker	Franson	Johnson, B.	Metsa	Pugh	Urdahl
Barrett	Garofalo	Kelly	Miller	Quam	Vogel
Bennett	Green	Kiel	Murphy, M.	Rarick	Whelan
Christensen	Gruenhagen	Knoblach	Nash	Runbeck	Wills
Cornish	Gunther	Koznick	Newberger	Sanders	Winkler
Daniels	Hackbarth	Kresha	Newton	Schoen	Zerwas
Davids	Hamilton	Lillie	Nornes	Schomacker	Spk. Daudt
Dean, M.	Hancock	Lohmer	O'Driscoll	Scott	

Those who voted in the negative were:

Allen	Carlson	Dehn, R.	Hornstein	Kahn	Lien
Applebaum	Clark	Erhardt	Isaacson	Laine	Loeffler
Bernardy	Considine	Freiberg	Johnson, C.	Lenczewski	Mahoney
Bly	Davnie	Hausman	Johnson, S.	Liebling	Mariani

Masin	Murphy, E.	Pinto	Selcer	Wagenius	Youakim
Moran	Nelson	Rosenthal	Slocum	Ward	
Mullery	Norton	Schultz	Thissen	Yarusso	

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

Peppin moved that the call of the House be lifted. The motion prevailed and it was so ordered.

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 Monday, April 20, 2015 and established a prefiling requirement for amendments offered to the following bills:

S. F. No. 1563; and H. F. No. 1725.

MOTIONS AND RESOLUTIONS

Kelly moved that the name of Knoblach be added as an author on H. F. No. 4. The motion prevailed.

Freiberg moved that the name of Fischer be added as an author on H. F. No. 192. The motion prevailed.

Davids moved that the name of Newton be added as an author on H. F. No. 309. The motion prevailed.

Torkelson moved that the name of Hausman be added as an author on H. F. No. 621. The motion prevailed.

Torkelson moved that the name of Hausman be added as an author on H. F. No. 622. The motion prevailed.

Franson moved that the names of Freiberg; Murphy, M.; Poppe; Slocum and Ward be added as authors on H. F. No. 683. The motion prevailed.

Baker moved that the name of Atkins be added as an author on H. F. No. 886. The motion prevailed.

Rarick moved that the name of Scott be added as an author on H. F. No. 1089. The motion prevailed.

Loonan moved that the name of Scott be added as an author on H. F. No. 1099. The motion prevailed.

Peterson moved that the name of Clark be added as an author on H. F. No. 1193. The motion prevailed.

Schultz moved that the name of Kahn be added as an author on H. F. No. 1449. The motion prevailed.

Wills moved that the name of Anderson, S., be added as an author on H. F. No. 1479. The motion prevailed.

Fischer moved that the name of Isaacson be added as an author on H. F. No. 1655. The motion prevailed.

Pinto moved that the name of Johnson, C., be added as an author on H. F. No. 1776. The motion prevailed.

Isaacson moved that the name of Norton be added as an author on H. F. No. 1897. The motion prevailed.

Schoen moved that the name of Clark be added as an author on H. F. No. 1907. The motion prevailed.

Nash moved that the name of Fenton be added as an author on H. F. No. 1971. The motion prevailed.

Albright moved that the name of Baker be added as an author on H. F. No. 2193. The motion prevailed.

Lenczewski moved that the name of Slocum be added as an author on H. F. No. 2204. The motion prevailed.

Simonson moved that H. F. No. 623 be recalled from the Committee on Job Growth and Energy Affordability Policy and Finance and be re-referred to the Committee on Capital Investment. The motion did not prevail.

Simonson moved that H. F. No. 1084 be recalled from the Committee on Job Growth and Energy Affordability Policy and Finance and be re-referred to the Committee on Capital Investment. The motion did not prevail.

SUSPENSION OF RULES

Bly moved that the rules of the House be so far suspended that H. F. No. 2225 be recalled from the Committee on Agriculture Finance, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Bly motion and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed.

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Bly moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2225 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 2225 was read for the second time.

H. F. No. 2225, A bill for an act relating to agriculture; appropriating money for avian influenza emergency response activities.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

POINT OF ORDER

Dean, M., raised a point of order pursuant to section 112 of "Mason's Manual of Legislative Procedure," relating to Reading Papers. The Speaker ruled the point of order well taken.

Franson was excused for the remainder of today's session.

POINT OF ORDER

Anderson, S., raised a point of order pursuant to section 100 of "Mason's Manual of Legislative Procedure," relating to There Must Be a Question Before the House to Permit Debate. The Speaker ruled the point of order well taken.

POINT OF ORDER

Peppin raised a point of order pursuant to section 114, paragraph 5, of "Mason's Manual of Legislative Procedure," relating to Asking Questions of Members. The Speaker ruled the point of order well taken.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, April 17, 2015. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, April 17, 2015.

PATRICK D. MURPHY, Chief Clerk, House of Representatives