

STATE OF MINNESOTA

EIGHTY-NINTH SESSION — 2016

 NINETIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 28, 2016

The House of Representatives convened at 9:00 a.m. and was called to order by Ron Kresha, Speaker pro tempore.

Prayer was offered by the Reverend Sarah Breckenridge, St. Andrew's Lutheran Church, Mahtomedi, 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	Davnie	Hansen	Lillie	Newton	Schultz
Anderson, C.	Dean, M.	Hausman	Loeffler	Nornes	Scott
Anderson, M.	Dehn, R.	Heintzeman	Lohmer	Norton	Selcer
Anderson, P.	Dettmer	Hertaus	Loon	O'Driscoll	Simonson
Anderson, S.	Drazkowski	Hilstrom	Loonan	O'Neill	Smith
Anzelc	Ecklund	Hoppe	Lucero	Pelowski	Sundin
Applebaum	Erhardt	Hornstein	Lueck	Peppin	Swedzinski
Atkins	Erickson	Hortman	Mack	Persell	Theis
Backer	Fabian	Howe	Mahoney	Petersburg	Thissen
Baker	Fenton	Johnson, B.	Marquart	Peterson	Torkelson
Barrett	Fischer	Johnson, C.	Masin	Pierson	Uglem
Bennett	Flanagan	Johnson, S.	McDonald	Pinto	Urdahl
Bernardy	Franson	Kahn	McNamara	Poppe	Vogel
Bly	Freiberg	Kelly	Miller	Pugh	Whelan
Carlson	Green	Kiel	Moran	Quam	Wills
Christensen	Gruenhagen	Knoblach	Mullery	Rarick	Yarusso
Clark	Gunther	Koznick	Murphy, E.	Rosenthal	Youakim
Considine	Hackbarth	Kresha	Murphy, M.	Runbeck	Zerwas
Cornish	Halverson	Laine	Nash	Sanders	Spk. Daudt
Daniels	Hamilton	Liebling	Nelson	Schoen	
Davids	Hancock	Lien	Newberger	Schomacker	

A quorum was present.

Melin, Slocum and Ward were excused.

Wagenius was excused until 1:20 p.m. Allen was excused until 1:25 p.m. Lesch was excused until 1:30 p.m. Metsa was excused until 1:35 p.m. Garofalo was excused until 2:25 p.m. Mariani was excused until 2:30 p.m. Isaacson 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.

REPORTS OF CHIEF CLERK

S. F. No. 2381 and H. F. No. 2688, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Sanders moved that S. F. No. 2381 be substituted for H. F. No. 2688 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2459 and H. F. No. 2572, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Zerwas moved that S. F. No. 2459 be substituted for H. F. No. 2572 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2862 and H. F. No. 2976, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Pinto moved that S. F. No. 2862 be substituted for H. F. No. 2976 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3084 and H. F. No. 3497, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Mariani moved that S. F. No. 3084 be substituted for H. F. No. 3497 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3113 and H. F. No. 2797, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Smith moved that S. F. No. 3113 be substituted for H. F. No. 2797 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 3829, A bill for an act relating to state government; appropriating money from outdoor heritage fund; modifying Lessard-Sams Outdoor Heritage Council provisions; modifying legacy funds provisions; modifying prior appropriations; amending Minnesota Statutes 2014, section 97A.056, subdivisions 2, 10, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 85.53, subdivision 2; 129D.17, subdivision 2; Laws 2015, First Special Session chapter 2, article 1, section 2, subdivisions 2, 3, 5; article 4, section 2, subdivision 3.

Reported the same back with the following amendments:

Page 41, line 24, delete ", or a similar project or program."

Page 43, line 7, delete ", or a similar project or program."

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

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8, H. F. No. 3829 was re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF SENATE BILLS

S. F. Nos. 2381, 2459, 2862, 3084 and 3113 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Fischer and Dean, M., introduced:

H. F. No. 3976, A bill for an act relating to waters; appropriating money for water supply sustainability study and augmentation design; providing project protections for the city of Vadnais Heights.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance.

Pierson; Dean, M.; Anderson, S.; Anderson, M., and Albright introduced:

H. F. No. 3977, A bill for an act relating to human services; appropriating money for a grant to Olmsted Outreach for Project Legacy.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Hancock, Green, Pugh, Lohmer and Johnson, B., introduced:

H. F. No. 3978, A bill for an act relating to public safety; prohibiting minors from possessing or disseminating indecent images; allowing retroactive applications for relief; creating penalties; proposing coding for new law in Minnesota Statutes, chapter 617.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Atkins and Hoppe introduced:

H. F. No. 3979, A resolution memorializing the Joint Committee on the Library of Congress and the Architect of the Capitol to commemorate Prince with a statue representing Minnesota at the National Statuary Hall in the United States Capitol.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

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:

H. F. No. 2994, A bill for an act relating to workers' compensation; reinsurance; modifying retention limits; amending Minnesota Statutes 2014, section 79.34, subdivision 2.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2315, 2414, 2733, 2793, 2857 and 2986.

JOANNE M. ZOFF, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2315, A bill for an act relating to transportation; highways; designating the segment of marked Trunk Highway 7 in McLeod County as Patrol Officer Michael Alan Hogan Memorial Highway; amending Minnesota Statutes 2014, section 161.14, by adding a subdivision.

The bill was read for the first time.

Urdahl moved that S. F. No. 2315 and H. F. No. 3104, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2414, A bill for an act relating to human services; modifying the office of ombudsman for long-term care, mental health treatment services, and miscellaneous policy provisions; amending Minnesota Statutes 2014, sections 148.975, subdivision 1; 148B.1751; 148F.13, subdivision 2; 245.462, subdivision 18; 245.4871, subdivision 27;

245A.11, subdivision 2a; 256.974; 256.9741, subdivision 5, by adding subdivisions; 256.9742; 256B.0622, as amended; 256B.0947, subdivision 2; Minnesota Statutes 2015 Supplement, sections 256.01, subdivision 12a; 256B.0911, subdivision 3a; 256I.04, subdivision 2a; 402A.18, subdivision 3.

The bill was read for the first time.

Albright moved that S. F. No. 2414 and H. F. No. 3199, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2733, A bill for an act relating to labor and industry; occupational safety and health; modifying the AWAIR program; amending Minnesota Statutes 2014, section 182.653, subdivision 9.

The bill was read for the first time.

Rarick moved that S. F. No. 2733 and H. F. No. 2992, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2793, A bill for an act relating to natural resources; providing for control of invasive species; modifying wild rice license requirements; providing for streamlined review of certain plans and regulations; modifying and providing civil penalties; prohibiting new muskellunge waters; requiring reports; amending Minnesota Statutes 2014, sections 17.4982, subdivision 18a; 84.027, subdivision 13; 84.091, subdivision 2; 84D.01, subdivision 2; 84D.05, subdivision 1; 84D.09, subdivision 2; 84D.10, subdivision 4; 84D.108, by adding a subdivision; 84D.13, subdivision 4; 116G.15, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 84.027, subdivision 13a; 84D.11, subdivision 1; 84D.13, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 84D; 97C.

The bill was read for the first time.

McNamara moved that S. F. No. 2793 and H. F. No. 2866, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2857, A bill for an act relating to human services; modifying the disability waiver rate system; amending Minnesota Statutes 2014, section 256B.0916, subdivision 8; repealing Laws 2015, chapter 71, article 7, section 56.

The bill was read for the first time.

Peterson moved that S. F. No. 2857 and H. F. No. 3486, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2986, A bill for an act relating to local government; authorizing cities to exempt land less than 20 acres from the fence-viewing process; authorizing cities to adopt fence policies; amending Minnesota Statutes 2014, sections 344.011; 344.20.

The bill was read for the first time.

Pugh moved that S. F. No. 2986 and H. F. No. 2757, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Peppin moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 3162 and 3262.

JOANNE M. ZOFF, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3162, A bill for an act relating to public safety; modifying the amount the propane education research council may assess; amending Laws 2001, chapter 130, section 3.

The bill was read for the first time.

Baker moved that S. F. No. 3162 and H. F. No. 3251, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3262, A bill for an act relating to transportation; designating a segment of marked Trunk Highway 28 as Staff Sergeant Kevin Witte Memorial Highway; amending Minnesota Statutes 2015 Supplement, section 161.14, by adding a subdivision.

The bill was read for the first time.

Backer moved that S. F. No. 3262 and H. F. No. 3652, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CALENDAR FOR THE DAY

H. F. No. 3467 was reported to the House.

Dean, M., moved to amend H. F. No. 3467, the second engrossment, as follows:

Page 103, delete section 21

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Dean, M., moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 126, line 15, after "reporting" insert "must be derived from existing data sources and must not require new data collection by providers. The expanded reporting must be at the medical group level and"

The motion prevailed and the amendment was adopted.

Sanders moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 156, after line 22, insert:

"Sec. 24. Minnesota Statutes 2015 Supplement, section 16C.073, subdivision 2, is amended to read:

Subd. 2. **Purchases.** (a) Whenever practicable, a public entity shall:

- (1) purchase uncoated copy paper, office paper, and printing paper;
- (2) purchase recycled content copy paper with at least 30 percent postconsumer material by weight and purchase printing and office paper with at least ten percent postconsumer material by weight;
- (3) purchase copy, office, and printing paper which has not been dyed with colors, excluding pastel colors;
- (4) purchase recycled content copy, office, and printing paper that is manufactured using little or no chlorine bleach or chlorine derivatives;
- (5) use reusable binding materials or staples and bind documents by methods that do not use glue;
- (6) use soy-based inks;

(7) purchase printer or duplication cartridges that:

(i) have ten percent postconsumer material; or

(ii) are purchased as remanufactured; or

(iii) are backed by a vendor-offered program that will take back the printer cartridges after their useful life, ensure that the cartridge is recycled, and comply with the definition of recycling in section 115A.03, subdivision 25b;

~~(7)~~ (8) produce reports, publications, and periodicals that are readily recyclable; and

~~(8)~~ (9) purchase paper which has been made on a paper machine located in Minnesota.

(b) Paragraph (a), clause (1), does not apply to coated paper that is made with at least 50 percent postconsumer material.

(c) A public entity shall print documents on both sides of the paper where commonly accepted publishing practices allow."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Zerwas moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 47, line 14, reinstate the stricken language

Page 47, line 18, after "expectancy" insert "for hospice patients who meet the criteria in subdivision 6, clause (2)"

The motion prevailed and the amendment was adopted.

Franson moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 68, after line 34, insert:

"(b) Within the available appropriation for the feasibility study, the commissioner must evaluate each of the six issues listed in paragraph (a)."

Page 69, line 1, delete "(b)" and insert "(c)"

The motion prevailed and the amendment was adopted.

Newberger moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 180, after line 24, insert:

"Sec. 4. **[609.5001] INTERFERING WITH PUBLIC SAFETY HELICOPTERS; UNMANNED AERIAL VEHICLES.**

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

(b) "Public safety helicopter" is a helicopter operated by a law enforcement agency, fire department, or emergency medical service provider.

(c) "Unmanned aerial vehicle" means a powered, aerial vehicle that:

(1) does not carry a human operator;

(2) can fly autonomously or be piloted remotely;

(3) uses aerodynamic forces to provide vehicle lift;

(4) can be expendable or recoverable; and

(5) can carry a lethal or nonlethal payload.

Subd. 2. Crime. Whoever knowingly operates an unmanned aerial vehicle within one mile of a public safety helicopter during operations is guilty of a crime and shall be punished as provided in subdivision 3.

Subd. 3. Penalty. (a) A person who violates subdivision 2 is guilty of a misdemeanor.

(b) A person who violates subdivision 2 a second or subsequent time is guilty of a gross misdemeanor.

Subd. 4. Exception. A person does not violate subdivision 2 if the person receives permission to operate an unmanned aerial vehicle within one mile of a public safety helicopter during operations from the law enforcement agency, fire department, or emergency medical service provider operating the public safety helicopter."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 36, after the semicolon, insert "prohibiting the use of unmanned vehicles near public safety helicopters;"

Correct the title numbers accordingly

Newberger moved to amend the Newberger amendment to H. F. No. 3467, the second engrossment, as amended, as follows:

Page 1, delete lines 21 to 24 and insert:

"Subd. 4. **Exception.** This section does not apply to an unmanned aerial vehicle operated by a law enforcement agency, fire department, or emergency medical service provider if:

(1) the law enforcement agency, fire department, or emergency medical service provider operating the unmanned aerial vehicle establishes radio communications with the pilot of the public safety helicopter;

(2) the pilot of the public safety helicopter (i) determines dual operation is safe and does not pose a threat to the public safety helicopter's mission, and (ii) notifies the law enforcement agency, fire department, or emergency medical service provider that operation of the unmanned aerial vehicle is authorized;

(3) the unmanned aerial vehicle operates no closer than 500 feet from the public safety helicopter and the identified landing zone; and

(4) operation of the unmanned aerial vehicle within the landing zone area does not begin until after the law enforcement agency, fire department, or emergency medical service provider has received authorization from the pilot of the public safety helicopter."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Newberger amendment, as amended, to H. F. No. 3467, the second engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

The Speaker called Davids to the Chair.

Pugh moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 180, after line 4, insert:

"Sec. 3. 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;

(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 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, 2016, and applies to crimes committed on or after that date."

Page 180, after line 24, insert:

"Sec. 5. Minnesota Statutes 2015 Supplement, 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; or

(3) hires or offers or agrees to hire an individual who the actor reasonably believes to be 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; or

(3) hires or offers or agrees to hire an individual who the actor reasonably believes to be 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;

(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 but at least 16 years to engage in sexual penetration or sexual contact.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Pugh amendment and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

Loon moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 69, line 27, after the period, insert "Within available appropriations."

The motion prevailed and the amendment was adopted.

Kiel moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 49, after line 29, insert:

"Sec. 13. **[145.417] LICENSURE OF CERTAIN FACILITIES THAT PERFORM ABORTIONS.**

Subdivision 1. License required for facilities that perform ten or more abortions per month. (a) A clinic, health center, or other facility in which the pregnancies of ten or more women known to be pregnant are willfully terminated or aborted each month shall be licensed by the commissioner of health and, notwithstanding Minnesota Rules, part 4675.0100, subparts 8 and 9, subject to the licensure requirements provided in Minnesota Rules, chapter 4675. The commissioner shall not require a facility licensed as a hospital or as an outpatient surgical center, pursuant to sections 144.50 to 144.56, to obtain a separate license under this section, but may subject these facilities to inspections and investigations as permitted under subdivision 2.

(b) The commissioner of health, the attorney general, an appropriate county attorney, or a woman upon whom an abortion has been performed or attempted to be performed at an unlicensed facility may seek an injunction in district court against the continued operation of the facility. Proceedings for securing an injunction may be brought by the attorney general or by the appropriate county attorney.

(c) Sanctions provided in this subdivision do not restrict other available sanctions.

Subd. 2. **Inspections; no notice required.** No more than two times per year, the commissioner of health shall perform routine and comprehensive inspections and investigations of facilities described under subdivision 1. Every clinic, health center, or other facility described under subdivision 1, and any other premises proposed to be conducted as a facility by an applicant for a license, shall be open at all reasonable times to inspection authorized in writing by the commissioner of health. No notice need be given to any person prior to any inspection.

Subd. 3. **Licensure fee.** (a) The annual license fee for facilities required to be licensed under this section is \$3,712.

(b) Fees shall be collected and deposited according to section 144.122.

Subd. 4. **Suspension, revocation, and refusal to renew.** The commissioner of health may refuse to grant or renew, or may suspend or revoke a license on any of the following grounds:

(1) violation of any of the provisions of this section or Minnesota Rules, chapter 4675;

(2) permitting, aiding, or abetting the commission of any illegal act in the facility;

(3) conduct or practices detrimental to the welfare of the patient;

(4) obtaining or attempting to obtain a license by fraud or misrepresentation; or

(5) if there is a pattern of conduct that involves one or more physicians in the facility who have a financial or economic interest in the facility, as defined in section 144.6521, subdivision 3, and who have not provided notice and disclosure of the financial or economic interest as required by section 144.6521.

Subd. 5. **Hearing.** Prior to any suspension, revocation, or refusal to renew a license, the licensee shall be entitled to notice and a hearing as provided by sections 14.57 to 14.69. At each hearing, the commissioner of health shall have the burden of establishing that a violation described in subdivision 4 has occurred. If a license is revoked, suspended, or not renewed, a new application for a license may be considered by the commissioner if the conditions upon which revocation, suspension, or refusal to renew was based have been corrected and evidence of this fact has been satisfactorily furnished. A new license may be granted after proper inspection has been made and all provisions of this section and Minnesota Rules, chapter 4675, have been complied with and a recommendation for licensure has been made by the commissioner or by an inspector as an agent of the commissioner.

Subd. 6. **Severability.** If any one or more provision, section, subdivision, sentence, clause, phrase, or word of this section or the application of it to any person or circumstance is found to be unconstitutional, it is declared to be severable and the balance of this section shall remain effective notwithstanding such unconstitutionality. The legislature intends that it would have passed this section, and each provision, section, subdivision, sentence, clause, phrase, or word, regardless of the fact that any one provision, section, subdivision, sentence, clause, phrase, or word is declared unconstitutional."

Page 127, line 7, delete "362,000" and insert "394,000"

Page 127, after line 16, insert:

"Licensure of Certain Facilities That Perform Abortions.
\$32,000 in fiscal year 2017 from the state government special
revenue fund is for licensing activities under Minnesota Statutes,
section 145.417."

Correct the section totals and the summaries by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

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.

Hilstrom was excused between the hours of 2:20 p.m. and 4:10 p.m.

Persell was excused between the hours of 2:35 p.m. and 2:50 p.m.

The question recurred on the Kiel amendment and the roll was called. There were 76 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Hancock	Loonan	O'Neill	Smith
Anderson, C.	Dettmer	Heintzeman	Lucero	Pelowski	Swedzinski
Anderson, M.	Drazkowski	Hertaus	Lueck	Peppin	Theis
Anderson, P.	Erickson	Hoppe	Mack	Petersburg	Torkelson
Anderson, S.	Fabian	Howe	Marquart	Peterson	Uglen
Backer	Fenton	Johnson, B.	McDonald	Pierson	Urdahl
Baker	Franson	Kelly	McNamara	Pugh	Vogel
Barrett	Garofalo	Kiel	Miller	Quam	Whelan
Bennett	Green	Knoblach	Murphy, M.	Rarick	Wills
Christensen	Gruenhagen	Koznick	Nash	Runbeck	Zerwas
Cornish	Gunther	Kresha	Newberger	Sanders	Spk. Daudt
Daniels	Hackbarth	Lohmer	Nornes	Schomacker	
Davids	Hamilton	Loon	O'Driscoll	Scott	

Those who voted in the negative were:

Allen	Davnie	Hausman	Lien	Murphy, E.	Selcer
Anzelc	Dehn, R.	Hornstein	Lillie	Nelson	Simonson
Applebaum	Ecklund	Hortman	Loeffler	Newton	Sundin
Atkins	Erhardt	Johnson, C.	Mahoney	Norton	Thissen
Bernardy	Fischer	Johnson, S.	Mariani	Pinto	Wagenius
Bly	Flanagan	Kahn	Masin	Poppe	Yarusso
Carlson	Freiberg	Laine	Metsa	Rosenthal	Youakim
Clark	Halverson	Lesch	Moran	Schoen	
Considine	Hansen	Liebling	Mullery	Schultz	

The motion prevailed and the amendment was adopted.

This moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 28, after line 14, insert:

"Sec. 22. **PROHIBITION ON USE OF FUNDS.**

Subdivision 1. Use of funds. Funding for state-sponsored health programs shall not be used for funding abortions, except to the extent necessary for continued participation in a federal program. This subdivision applies only to state-sponsored health programs that are administered by the commissioner of human services. For purposes of this section, abortion has the meaning given in Minnesota Statutes, section 144.343, subdivision 3.

Subd. 2. Severability. If any one or more provision, section, subdivision, sentence, clause, phrase, or word of this section or the application of it to any person or circumstance is found to be unconstitutional, it is declared to be severable and the balance of this section shall remain effective notwithstanding such unconstitutionality. The

legislature intends that it would have passed this section, and each provision, section, subdivision, sentence, clause, phrase, or word irrespective of the fact that any one provision, section, subdivision, sentence, clause, phrase, or word is declared unconstitutional."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Theis amendment and the roll was called. There were 76 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Hancock	Loonan	O'Neill	Smith
Anderson, C.	Dettmer	Heintzeman	Lucero	Pelowski	Swedzinski
Anderson, M.	Drazkowski	Hertaus	Lueck	Peppin	Theis
Anderson, P.	Erickson	Hoppe	Mack	Petersburg	Torkelson
Anderson, S.	Fabian	Howe	Marquart	Peterson	Uglen
Backer	Fenton	Johnson, B.	McDonald	Pierson	Urdahl
Baker	Franson	Kelly	McNamara	Pugh	Vogel
Barrett	Garofalo	Kiel	Miller	Quam	Whelan
Bennett	Green	Knoblach	Murphy, M.	Rarick	Wills
Christensen	Gruenhagen	Koznick	Nash	Runbeck	Zerwas
Cornish	Gunther	Kresha	Newberger	Sanders	Spk. Daudt
Daniels	Hackbarth	Lohmer	Nornes	Schomacker	
Davids	Hamilton	Loon	O'Driscoll	Scott	

Those who voted in the negative were:

Allen	Davnie	Hausman	Lien	Murphy, E.	Schultz
Anzelc	Dehn, R.	Hornstein	Lillie	Nelson	Selcer
Applebaum	Ecklund	Hortman	Loeffler	Newton	Simonson
Atkins	Erhardt	Johnson, C.	Mahoney	Norton	Sundin
Bernardy	Fischer	Johnson, S.	Mariani	Persell	Thissen
Bly	Flanagan	Kahn	Masin	Pinto	Wagenius
Carlson	Freiberg	Laine	Metsa	Poppe	Yarusso
Clark	Halverson	Lesch	Moran	Rosenthal	Youakim
Considine	Hansen	Liebling	Mullery	Schoen	

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE LIFTED

McNamara moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Schoen offered an amendment to H. F. No. 3467, the second engrossment, as amended.

CALL OF THE HOUSE

On the motion of Schoen and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

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.

POINT OF ORDER

Nash 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. Speaker pro tempore Davids ruled the point of order well taken and the Schoen amendment out of order.

Halverson offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Albright raised a point of order pursuant to rule 3.21 that the Halverson amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Halverson amendment out of order.

Halverson appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called. There were 76 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Albright	Dehn, R.	Hancock	Loonan	Pelowski	Smith
Anderson, C.	Dettmer	Heintzeman	Lucero	Peppin	Swedzinski
Anderson, M.	Drazkowski	Hertaus	Lueck	Petersburg	Theis
Anderson, P.	Erickson	Hoppe	Mack	Peterson	Torkelson
Anderson, S.	Fabian	Howe	Marquart	Pierson	Uglem
Backer	Fenton	Johnson, B.	McDonald	Poppe	Urdahl
Barrett	Franson	Kelly	McNamara	Pugh	Vogel
Bennett	Garofalo	Kiel	Miller	Quam	Whelan
Christensen	Green	Knobloch	Nash	Rarick	Wills
Cornish	Gruenhagen	Koznick	Newberger	Runbeck	Zerwas
Daniels	Gunther	Kresha	Nornes	Sanders	Spk. Daudt
Davids	Hackbarth	Lohmer	O'Driscoll	Schomacker	
Dean, M.	Hamilton	Loon	O'Neill	Scott	

Those who voted in the negative were:

Allen	Considine	Hausman	Lien	Murphy, E.	Schultz
Anzelc	Davnie	Hornstein	Lillie	Murphy, M.	Selcer
Applebaum	Ecklund	Hortman	Loeffler	Nelson	Simonson
Atkins	Erhardt	Johnson, C.	Mahoney	Newton	Sundin
Baker	Fischer	Johnson, S.	Mariani	Norton	Thissen
Bernardy	Flanagan	Kahn	Masin	Persell	Wagenius
Bly	Freiberg	Laine	Metsa	Pinto	Yarusso
Carlson	Halverson	Lesch	Moran	Rosenthal	Youakim
Clark	Hansen	Liebling	Mullery	Schoen	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

Murphy, E., moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 170, line 11, strike "a minimum of three potential sources of coverage" and insert "all entities referenced in subdivision 1 that are doing business in any county in which the school district is located"

Page 170, line 14, strike everything after the period

Page 170, line 15, strike "as provided in paragraph (f)."

Page 171, lines 10 to 29, strike the old language and delete the new language

Re-number the paragraphs in sequence

A roll call was requested and properly seconded.

CALL OF THE HOUSE LIFTED

Thissen moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Sundin was excused between the hours of 3:35 p.m. and 6:00 p.m.

Speaker pro tempore Davids called Garofalo to the Chair.

The question recurred on the Murphy, E., amendment and the roll was called. There were 48 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Allen	Cornish	Hansen	Lesch	Mullery	Schoen
Anzelc	Davids	Hausman	Loeffler	Murphy, E.	Schultz
Applebaum	Davnie	Hornstein	Mahoney	Murphy, M.	Simonson
Atkins	Dehn, R.	Hortman	Mariani	Nelson	Thissen
Bernardy	Ecklund	Johnson, C.	Marquart	Newton	Urdahl
Carlson	Erhardt	Johnson, S.	Masin	Pelowski	Wagenius
Clark	Flanagan	Kahn	Metsa	Persell	Yarusso
Considine	Freiberg	Laine	Moran	Pinto	Youakim

Those who voted in the negative were:

Albright	Drazkowski	Heintzeman	Lohmer	O'Driscoll	Schomacker
Anderson, C.	Erickson	Hertaus	Loon	O'Neill	Scott
Anderson, M.	Fabian	Hoppe	Loonan	Peppin	Selcer
Anderson, P.	Fenton	Howe	Lucero	Petersburg	Smith
Anderson, S.	Fischer	Johnson, B.	Lueck	Peterson	Swedzinski
Backer	Franson	Kelly	Mack	Pierson	Theis
Barrett	Garofalo	Kiel	McDonald	Poppe	Torkelson
Bennett	Green	Knoblach	McNamara	Pugh	Uglem
Bly	Gruenhagen	Koznick	Miller	Quam	Vogel
Christensen	Gunther	Kresha	Nash	Rarick	Whelan
Daniels	Hackbarth	Liebling	Newberger	Rosenthal	Wills
Dean, M.	Halverson	Lien	Nornes	Runbeck	Zerwas
Dettmer	Hancock	Lillie	Norton	Sanders	Spk. Daudt

The motion did not prevail and the amendment was not adopted.

Drazkowski moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 21, line 14, after "account" insert ":(1)"

Page 21, line 15, delete ", and" and insert ":(2)"

Page 21, line 17, after "initiative" insert ":(3) and all state savings resulting from implementation of the vendor contract under section 256B.0563, minus any payments to the vendor made under the terms of the revenue sharing agreement"

Page 21, after line 26, insert:

"Sec. 2. **[256B.0563] ELIGIBILITY VERIFICATION.**

Subdivision 1. Verification required; vendor contract. (a) The commissioner shall ensure that medical assistance and MinnesotaCare eligibility determinations through the MNsure information technology system and through agency eligibility determination systems include the computerized verification of income, residency, identity, and, when applicable, assets.

(b) The commissioner shall contract with a vendor to verify the eligibility of all persons enrolled in medical assistance and MinnesotaCare during a specified audit period. This contract shall be exempt from sections 16C.08, subdivision 2, clause (1); 16C.09, paragraph (a), clause (1); 43A.047, paragraph (a), and any other law to the contrary.

(c) The contract must require the vendor to comply with enrollee data privacy requirements and to use encryption to safeguard enrollee identity. The contract must also provide penalties for vendor noncompliance.

(d) The contract must include a revenue sharing agreement, under which vendor compensation is limited to a portion of any savings to the state resulting from the vendor's implementation of eligibility verification initiatives under this section.

(e) The commissioner shall use existing resources to fund any agency administrative and technology-related costs incurred as a result of implementing this section.

Subd. 2. Verification process; vendor duties. (a) The verification process implemented by the vendor must include, but is not limited to, data matches of the name, date of birth, address, and Social Security number of each medical assistance and MinnesotaCare enrollee against relevant information in federal and state data sources, including the federal data hub established under the Affordable Care Act. In designing the verification process, the vendor, to the extent feasible, shall incorporate procedures that are compatible and coordinated with, and build upon or improve, existing procedures used by the MNsure information technology system and agency eligibility determination systems.

(b) The vendor, upon preliminary determination that an enrollee is eligible or ineligible, shall notify the commissioner. Within 20 business days of this notification, the commissioner shall accept the preliminary determination or reject it with a stated reason. The commissioner shall retain final authority over eligibility determinations. The vendor shall keep a record of all preliminary determinations of ineligibility communicated to the commissioner.

(c) The vendor shall recommend to the commissioner an eligibility verification process that will allow ongoing verification of enrollee eligibility under the MNsure information technology system and agency eligibility determination systems.

(d) The commissioner and the vendor, following the conclusion of the initial contract period, shall jointly submit an eligibility verification audit report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance. The report shall include, but is not limited to, information, in the form of unidentified summary data, on preliminary determinations of eligibility or ineligibility communicated by the vendor; the actions taken on those preliminary determinations by the commissioner; and the commissioner's reasons for rejecting preliminary determinations by the vendor. The report must also include the recommendations for ongoing verification of enrollee eligibility required under paragraph (c).

(e) An eligibility verification vendor contract shall be awarded for an initial one-year period. The commissioner shall renew the contract for up to three additional one-year periods and require additional eligibility verification audits, if the commissioner or the legislative auditor determines that the MNsure information technology system and agency eligibility determination systems cannot effectively verify the eligibility of medical assistance and MinnesotaCare enrollees."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

McDonald was excused between the hours of 4:00 p.m. and 8:00 p.m.

The question was taken on the Drazkowski amendment and the roll was called. There were 116 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Hancock	Lillie	O'Driscoll	Selcer
Allen	Dean, M.	Heintzeman	Lohmer	O'Neill	Simonson
Anderson, C.	Dettmer	Hertaus	Loon	Pelowski	Smith
Anderson, M.	Drazkowski	Hilstrom	Loonan	Peppin	Swedzinski
Anderson, P.	Ecklund	Hoppe	Lucero	Persell	Theis
Anderson, S.	Erhardt	Hornstein	Lueck	Petersburg	Thissen
Anzelc	Erickson	Hortman	Mack	Peterson	Torkelson
Applebaum	Fabian	Howe	Marquart	Pierson	Uglen
Atkins	Fenton	Isaacson	Masin	Pinto	Urdahl
Backer	Fischer	Johnson, B.	McNamara	Poppe	Vogel
Baker	Flanagan	Johnson, C.	Miller	Pugh	Whelan
Barrett	Franson	Johnson, S.	Moran	Quam	Wills
Bennett	Freiberg	Kelly	Mullery	Rarick	Yarusso
Bernardy	Garfalo	Kiel	Murphy, E.	Rosenthal	Youakim
Carlson	Green	Knoblach	Murphy, M.	Runbeck	Zerwas
Christensen	Gruenhagen	Koznick	Nash	Sanders	Spk. Daudt
Clark	Gunther	Kresha	Nelson	Schoen	
Considine	Hackbarth	Lesch	Newberger	Schomacker	
Cornish	Halverson	Liebling	Newton	Schultz	
Daniels	Hamilton	Lien	Nornes	Scott	

Those who voted in the negative were:

Bly	Dehn, R.	Hausman	Loeffler	Mariani	Norton
Davnie	Hansen	Laine	Mahoney	Metsa	Wagenius

The motion prevailed and the amendment was adopted.

Thissen moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 145, after line 27, insert:

"Section 1. Minnesota Statutes 2014, section 3.012, is amended to read:

3.012 LEGISLATIVE DAY.

A legislative day is a day when either house of the legislature is called to order. A legislative day begins at seven o'clock a.m. and continues until seven o'clock a.m. of the following calendar day. A house of the legislature may not meet in a floor session between 12:00 a.m. and 7:00 a.m., except on and after the first Monday in May.

Sec. 2. **[3.054] NOTICE OF REQUEST FOR CONCURRENCE.**

This section applies when one chamber of the legislature amends a bill that originated in the other chamber and sends a message asking that the chamber of origin concur in the amendments. At least 24 hours before the chamber in which the bill originated votes to concur or not concur in the amendments made by the other chamber, a written or electronic copy of the message requesting concurrence must: (1) be placed on the desk of each member of the chamber or delivered electronically to each member; and (2) be made available to the public.

Sec. 3. Minnesota Statutes 2014, section 3.055, is amended by adding a subdivision to read:

Subd. 1b. **Conference committees.** (a) All meetings of conference committees must be open to the public. All conference committees must provide an opportunity for public testimony. Conference committees must give notice of a public meeting at least 12 hours before adopting a final conference committee agreement.

(b) At least 24 hours before a chamber acts on the report of a conference committee, a written or electronic copy of the report of the conference committee: (1) must be placed on the desk of each member of the chamber or delivered electronically to each member; and (2) must be made available to the public.

Sec. 4. Minnesota Statutes 2014, section 3.098, is amended to read:

3.098 EXPENSE REPORTS.

(a) The house of representatives and senate shall by rule require detailed quarterly reports of expenditures by the house of representatives and senate to their respective committees on rules and legislative administration. These reports are public information.

(b) The house of representatives and senate must publish information related to expense reimbursements to members, including per diem, mileage, lodging, and any other reimbursement, on a monthly basis. The house of representatives and senate must publish all committee budgets and a quarterly update on expenditures from those budgets. The house of representatives and senate must publish quarterly financial reports on all house expenditures. Publication must be on the legislative Web site."

Page 177, after line 10, insert:

"Sec. 49. **EXPANDED PUBLIC ACCESS TO LEGISLATIVE RECORDS AND MEETINGS; STUDY AND RECOMMENDATIONS.**

(a) No later than December 15, 2016, the Legislative Commission on Data Practices and Personal Data Privacy must study and recommend options for expanding public access to legislative records and meetings. The recommendations must facilitate increased public access, participation, and accountability in the legislative process, while also preserving the rights and duties of the legislature and its members to function as a constitutional coequal branch of government.

(b) The study and recommendations should consider:

(1) current laws, rules, and customs and practices of the legislature that provide public access to legislative records and meetings;

(2) the experiences of other state legislatures in providing public access to their records and meetings;

(3) the potential benefits and risks to the legislative process in expanded public access to records and meetings;

(4) the potential benefits and risks to constituents and other individual members of the public in expanded access to legislative records and meetings; and

(5) impacts on the administrative operations of the legislature in implementing any recommended change, including the potential for increased costs or staffing needs."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Thissen amendment and the roll was called. There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hilstrom	Liebling	Moran	Poppe
Anzelc	Drazkowski	Hornstein	Lien	Mullery	Rosenthal
Applebaum	Ecklund	Hortman	Lillie	Murphy, E.	Schoen
Atkins	Erhardt	Isaacson	Loeffler	Murphy, M.	Schultz
Bernardy	Fischer	Johnson, C.	Lucero	Nelson	Selcer
Bly	Flanagan	Johnson, S.	Mahoney	Newton	Simonson
Carlson	Freiberg	Kahn	Mariani	Norton	Thissen
Clark	Halverson	Knoblach	Marquart	Pelowski	Wagenius
Considine	Hansen	Laine	Masin	Persell	Yarusso
Davnie	Hausman	Lesch	Metsa	Pinto	Youakim

Those who voted in the negative were:

Albright	Dauids	Hamilton	Loon	Petersburg	Theis
Anderson, C.	Dean, M.	Hancock	Loonan	Peterson	Torkelson
Anderson, M.	Dettmer	Heintzeman	Lueck	Pierson	Uglem
Anderson, P.	Erickson	Hertaus	Mack	Pugh	Urdahl
Anderson, S.	Fabian	Hoppe	McNamara	Quam	Vogel
Backer	Fenton	Howe	Miller	Rarick	Whelan
Baker	Franson	Johnson, B.	Nash	Runbeck	Wills
Barrett	Garofalo	Kelly	Newberger	Sanders	Zerwas
Bennett	Green	Kiel	Nornes	Schomacker	Spk. Daudt
Christensen	Gruenhagen	Koznick	O'Driscoll	Scott	
Cornish	Gunther	Kresha	O'Neill	Smith	
Daniels	Hackbarth	Lohmer	Peppin	Swedzinski	

The motion did not prevail and the amendment was not adopted.

Rosenthal was excused between the hours of 4:30 p.m. and 5:50 p.m.

Hilstrom moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 180, after line 24, insert:

"Sec. 4. **[609.2233] FELONY ASSAULT MOTIVATED BY BIAS; INCREASED STATUTORY MAXIMUM SENTENCE.**

A person who violates section 609.221, 609.222, or 609.223 because of the victim's or another person's actual or perceived race, color, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin is subject to a statutory maximum penalty of 25 percent longer than the maximum penalty otherwise applicable.

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

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Hilstrom amendment and the roll was called. There were 76 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Allen	Davnie	Hertaus	Lillie	Nelson	Schultz
Anderson, C.	Dean, M.	Hilstrom	Loeffler	Newton	Selcer
Anderson, P.	Dehn, R.	Hornstein	Loon	Norton	Simonson
Anderson, S.	Ecklund	Hortman	Mahoney	O'Neill	Theis
Anzelc	Erhardt	Isaacson	Mariani	Pelowski	Thissen
Applebaum	Fenton	Johnson, C.	Marquart	Persell	Urdahl
Atkins	Fischer	Johnson, S.	Masin	Petersburg	Wagenius
Bennett	Flanagan	Kahn	Metsa	Peterson	Wills
Bernardy	Freiberg	Kresha	Miller	Pierson	Yarusso
Bly	Halverson	Laine	Moran	Pinto	Youakim
Carlson	Hamilton	Lesch	Mullery	Poppe	Zerwas
Clark	Hansen	Liebling	Murphy, E.	Rarick	
Considine	Hausman	Lien	Murphy, M.	Schoen	

Those who voted in the negative were:

Albright	Dettmer	Hackbarth	Koznick	Nornes	Smith
Anderson, M.	Drazkowski	Hancock	Lohmer	O'Driscoll	Swedzinski
Baker	Erickson	Heintzeman	Loonan	Peppin	Torkelson
Baker	Fabian	Hoppe	Lucero	Pugh	Uglem
Barrett	Franson	Howe	Lueck	Quam	Vogel
Christensen	Garofalo	Johnson, B.	Mack	Runbeck	Whelan
Cornish	Green	Kelly	McNamara	Sanders	Spk. Daudt
Daniels	Gruenhagen	Kiel	Nash	Schomacker	
Davids	Gunther	Knoblach	Newberger	Scott	

The motion prevailed and the amendment was adopted.

Clark moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 53, after line 8, insert:

"Sec. 20. **[448.57] SIGNS REQUIRED AT CERTAIN ATHLETIC FIELDS AND PLAYGROUNDS.**

The owner or operator of an athletic field or playground containing crumb rubber that is located on land leased or owned by a municipality shall post a sign in a conspicuous location that is visible to individuals who use the facilities that states:

"The Minnesota Department of Health encourages all those using athletic fields and playgrounds containing crumb rubber to observe the following recommendations:

1. Wash hands and exposed body parts aggressively after playing on the field.
2. Turn clothes inside out as soon as possible after using the field to avoid tracking dust and infill to other locations.
3. Keep beverages closed and in bags or coolers when not drinking to minimize contamination from field dust and fibers.
4. Be aware of signs of heat-related illness and dehydration. Fields can get excessively hot on warm, sunny days. Take all necessary precautions."

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

Sec. 21. **[448.58] ATHLETIC FIELDS AND PLAYGROUNDS; MORATORIUM; DEFINITIONS.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section and section 448.57.

(b) "Crumb rubber" means rubber processed from a waste tire into granules or larger pieces that are loosely combined to form a nonuniform surface.

(c) "Municipality" has the meaning given in section 471.345.

(d) "Waste tire" has the meaning given in section 115A.90.

Subd. 2. **Moratorium.** (a) No municipality may construct an athletic field or playground containing crumb rubber until July 1, 2019.

(b) No athletic field or playground containing crumb rubber may be constructed on land leased or owned by a municipality until July 1, 2019.

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

Page 54, after line 25, insert:

"Sec. 24. **REPORT ON HEALTH EFFECTS OF ATHLETIC FIELDS AND PLAYGROUNDS CONSTRUCTED OF CRUMB RUBBER.**

(a) The commissioner of health shall, by January 1, 2019, submit a report to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over health and environmental policy containing a summary and evaluation of recent studies examining the effects on the environment and human health of athletic fields and playgrounds containing crumb rubber, including a study currently being conducted by the California Office of Environmental Health Hazard Assessment under contract to the California Department of Resources Recycling and Recovery. Issues that must be addressed in the study include, but are not limited to:

(1) identifying chemicals released from crumb rubber from athletic fields and playgrounds of various ages and under different weather conditions;

(2) evaluating exposures to chemicals released from crumb rubber that may occur through inhalation, ingestion, and contact with skin; and

(3) assessing what, if any, potential health risks are associated with use of athletic fields and playgrounds constructed of crumb rubber.

(b) For the purposes of this section, "crumb rubber" means rubber processed from a waste tire into granules or larger pieces that are loosely combined to form a nonuniform surface.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 156, after line 22, insert:

"Sec. 24. **[16C.067] CONFLICT-FREE MINERALS.**

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

(b) "Conflict mineral" means a mineral or mineral derivative determined under federal law to be financing human conflict. Conflict mineral includes columbite-tantalite (coltan), cassiterite, gold, wolframite, or derivatives of those minerals.

(c) "Noncompliant person" means a person:

(1) who is required to disclose under federal law information relating to conflict minerals that originated in the Democratic Republic of the Congo or its neighboring countries; and

(2) for whom the disclosure is not filed, is considered under federal law to be an unreliable determination, or contains false information.

Subd. 2. **Prohibition.** No commissioner, head, or chief administrative officer of an agency may knowingly procure goods or services from a noncompliant person.

Subd. 3. **Notice.** In any solicitation for goods or services, a commissioner, head, or chief administrative officer of an agency shall provide notice of the requirements of this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Johnson, C., offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Knoblach 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 Johnson, C., amendment was not in order. Speaker pro tempore Garofalo ruled the point of order well taken and the Johnson, C., amendment out of order.

Considine appealed the decision of Speaker pro tempore Garofalo.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Garofalo stand as the judgment of the House?" and the roll was called. There were 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Hamilton	Lohmer	O'Neill	Smith
Anderson, C.	Dettmer	Hancock	Loon	Peppin	Swedzinski
Anderson, M.	Drazkowski	Heintzeman	Loonan	Petersburg	Theis
Anderson, P.	Erickson	Hertaus	Lucero	Peterson	Torkelson
Anderson, S.	Fabian	Hoppe	Lueck	Pierson	Uglen
Backer	Fenton	Howe	Mack	Pugh	Urdahl
Baker	Franson	Johnson, B.	McNamara	Quam	Vogel
Barrett	Garofalo	Kelly	Miller	Rarick	Whelan
Bennett	Green	Kiel	Nash	Runbeck	Wills
Christensen	Gruenhagen	Knoblach	Newberger	Sanders	Zerwas
Daniels	Gunther	Koznick	Nornes	Schomacker	Spk. Daudt
Davids	Hackbarth	Kresha	O'Driscoll	Scott	

Those who voted in the negative were:

Allen	Davnie	Hilstrom	Lien	Murphy, E.	Schultz
Anzelc	Dehn, R.	Hornstein	Lillie	Murphy, M.	Selcer
Applebaum	Ecklund	Hortman	Loeffler	Nelson	Simonson
Atkins	Erhardt	Isaacson	Mahoney	Newton	Sundin
Bernardy	Fischer	Johnson, C.	Mariani	Norton	Thissen
Bly	Flanagan	Johnson, S.	Marquart	Pelowski	Wagenius
Carlson	Freiberg	Kahn	Masin	Persell	Yarusso
Clark	Halverson	Laine	Metsa	Pinto	Youakim
Considine	Hansen	Lesch	Moran	Poppe	
Cornish	Hausman	Liebling	Mullery	Schoen	

So it was the judgment of the House that the decision of Speaker pro tempore Garofalo should stand.

The Speaker resumed the Chair.

Hilstrom offered an amendment to H. F. No. 3467, the second engrossment, as amended.

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 Hilstrom amendment was not in order. The Speaker ruled the point of order well taken and the Hilstrom amendment out of order.

Persell offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Kresha 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 Persell amendment was not in order. The Speaker ruled the point of order well taken and the Persell amendment out of order.

Pinto appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 72 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Albright	Anderson, P.	Baker	Christensen	Davids	Drazkowski
Anderson, C.	Anderson, S.	Barrett	Cornish	Dean, M.	Erickson
Anderson, M.	Backer	Bennett	Daniels	Dettmer	Fabian

Fenton	Heintzeman	Kresha	Nash	Pugh	Theis
Franson	Hertaus	Lohmer	Newberger	Quam	Torkelson
Garofalo	Hoppe	Loon	Nornes	Rarick	Uglen
Green	Howe	Loonan	O'Driscoll	Runbeck	Urdahl
Gruenhagen	Johnson, B.	Lucero	O'Neill	Sanders	Vogel
Gunther	Kelly	Lueck	Peppin	Schomacker	Whelan
Hackbarth	Kiel	Mack	Petersburg	Scott	Wills
Hamilton	Knoblach	McNamara	Peterson	Smith	Zerwas
Hancock	Koznick	Miller	Pierson	Swedzinski	Spk. Daudt

Those who voted in the negative were:

Allen	Dehn, R.	Hornstein	Lillie	Murphy, M.	Schultz
Anzelc	Ecklund	Hortman	Loeffler	Nelson	Selcer
Applebaum	Erhardt	Isaacson	Mahoney	Newton	Simonson
Atkins	Fischer	Johnson, C.	Mariani	Norton	Sundin
Bernardy	Flanagan	Johnson, S.	Marquart	Pelowski	Thissen
Bly	Freiberg	Kahn	Masin	Persell	Wagenius
Carlson	Halverson	Laine	Metsa	Pinto	Yarusso
Clark	Hansen	Lesch	Moran	Poppe	Youakim
Considine	Hausman	Liebling	Mullery	Rosenthal	
Davnie	Hilstrom	Lien	Murphy, E.	Schoen	

So it was the judgment of the House that the decision of the Speaker should stand.

Schultz moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 175, delete section 47 and insert:

"Sec. 47. **SURROGACY TASK FORCE.**

Subdivision 1. **Membership.** (a) The Surrogacy Task Force for the study of gestational and traditional surrogacy consists of 24 members, appointed by the commissioner of human services except where otherwise specified, as follows:

(1) the commissioner of human services or a person designated by the commissioner of human services;

(2) the commissioner of health or a person designated by the commissioner of health;

(3) two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader;

(4) two senators appointed by the Subcommittee on Committees of the Committee on Rules and Administration, one from the majority party and one from the minority party;

(5) one person designated by the chair of the Family Law section and one person designated by the chair of the Children and the Law section of the Minnesota State Bar Association;

(6) one person designated by the Minnesota County Attorney's Association;

(7) one district court judge from the second or fourth judicial district appointed by the chief justice of the Supreme Court and one district court judge with permanent chambers outside of the metropolitan area appointed by the chief justice of the Supreme Court;

(8) one person representing Minnesota fertility clinics who is a member of the American Society of Reproductive Medicine;

(9) one person representing the Minnesota Legal Services Coalition;

(10) one person representing Minnesota-based children's advocacy nonprofits;

(11) one person representing Minnesota surrogacy agencies;

(12) one person representing mental health professionals who is a member of the American Society for Reproductive Medicine mental health professionals group;

(13) one person representing parents' rights advocacy groups;

(14) one person representing RESOLVE: The National Fertility Association having experienced gestational or traditional surrogacy, as appointed by RESOLVE;

(15) one woman who has acted as a gestational or traditional surrogate, designated by RESOLVE;

(16) one woman who has acted as a gestational or traditional surrogate, designated by the Minnesota Family Council;

(17) one person representing Choice Moms organization, designated by that organization;

(18) one person representing Outfront Minnesota, designated by that organization;

(19) one person representing the Minnesota Family Council, designated by that organization; and

(20) one person representing the Minnesota Catholic Conference, designated by that organization.

(b) Appointing and designating authorities shall appoint and designate members by July 1, 2016.

Subd. 2. **Chair.** The commissioner of human services or the commissioner's designee shall serve as chair.

Subd. 3. **Compensation; expenses.** Notwithstanding Minnesota Statutes, section 15.059, members of the Surrogacy Task Force shall serve without compensation or reimbursement of expenses.

Subd. 4. **Meetings.** The task force shall meet as frequently and as often as necessary to accomplish its purpose, but no less than quarterly. The commissioner of human services shall convene the first meeting by July 31, 2016.

Subd. 5. **Staffing.** The Department of Human Services shall provide staffing and technical assistance within available resources.

Subd. 6. **Duties; report; expiration.** The Surrogacy Task Force shall review and study the legal issues implicated by the practice of gestational and traditional surrogacy in the state of Minnesota and make recommendations to the legislature on legal issues related to surrogacy. The Surrogacy Task Force must report its findings and make recommendations to address legal issues implicated by surrogacy to the chairs and ranking

minority members of the legislative committees in the house of representatives and the senate with primary jurisdiction over health and judiciary by January 15, 2017. The report must include draft legislation to implement the recommendations of the task force. The task force expires on submission of the report required by this subdivision or on January 16, 2017, whichever is earlier.

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

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Clark moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 54, after line 25, insert:

"Sec. 22. **LEAD HOME HEALTH STUDY.**

The commissioner of health must study and make recommendations to the legislature by January 15, 2017, on the potential benefits of implementing legislation to reduce lead hazards in all residential rental units and impose lead hazard testing requirements for all residential rental units in the state. The commissioner must conduct this study within existing appropriations. The study must include, but is not limited to:

(1) suggestions for legislation to update the Lead Poisoning Prevention Act to implement statewide testing for all lead health hazards as defined by Minnesota Statutes, section 144.9501, in residential rental units;

(2) updates that would be necessary to the Lead Poisoning Prevention Act to ensure that future testing would be mandatory for all lead health hazards, including dust, paint, soil, and residential drinking water;

(3) the number of individuals that would need to be licensed by the Department of Health to implement a statewide lead testing requirement on residential rental units;

(4) the estimated costs to the department and to landlords for lead testing and lead remediation or abatement, if a statewide lead testing requirement on residential units was imposed by the legislature;

(5) an analysis of the cost and savings of implementing a statewide lead testing requirement on residential units as compared to the cost of caring for students, youth, and adults who have disabilities due to lead poisoning in Minnesota; and

(6) information on the disparate impact of lead poisoning in communities of color and the Native American community compared to the general population."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Clark amendment and the roll was called. There were 63 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Allen	Davnie	Hilstrom	Lien	Murphy, M.	Simonson
Anderson, C.	Dehn, R.	Hornstein	Lillie	Nelson	Sundin
Anzelc	Ecklund	Hortman	Loeffler	Newton	Theis
Applebaum	Erhardt	Isaacson	Mahoney	Pelowski	Thissen
Atkins	Fischer	Johnson, C.	Mariani	Persell	Wagenius
Bernardy	Flanagan	Johnson, S.	Marquart	Pinto	Wills
Bly	Freiberg	Kahn	Masin	Poppe	Yarusso
Carlson	Halverson	Knoblach	Metsa	Rosenthal	Youakim
Clark	Hamilton	Laine	Moran	Schoen	
Considine	Hansen	Lesch	Mullery	Schultz	
Cornish	Hausman	Liebling	Murphy, E.	Selcer	

Those who voted in the negative were:

Albright	Dettmer	Heintzeman	Lucero	Petersburg	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lueck	Peterson	Uglem
Anderson, P.	Erickson	Hoppe	Mack	Pierson	Urdahl
Anderson, S.	Fabian	Howe	McNamara	Pugh	Vogel
Backer	Fenton	Johnson, B.	Miller	Quam	Whelan
Baker	Franson	Kelly	Nash	Rarick	Zerwas
Barrett	Garofalo	Kiel	Newberger	Runbeck	Spk. Daudt
Bennett	Green	Koznick	Nornes	Sanders	
Christensen	Gruenhagen	Kresha	Norton	Schomacker	
Daniels	Gunther	Lohmer	O'Driscoll	Scott	
Davids	Hackbarth	Loon	O'Neill	Smith	
Dean, M.	Hancock	Loonan	Peppin	Swedzinski	

The motion did not prevail and the amendment was not adopted.

Norton offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Dean, M., raised a point of order pursuant to rule 3.21 that the Norton amendment was not in order. The Speaker ruled the point of order well taken and the Norton amendment out of order.

Schoen offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Newberger raised a point of order pursuant to rule 3.21 that the Schoen amendment was not in order. The Speaker ruled the point of order well taken and the Schoen amendment out of order.

The Speaker called Davids to the Chair.

Fischer moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 177, line 12, delete "(a)"

Page 177, delete line 13

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Fischer amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hornstein	Loeffler	Newton	Simonson
Anzelc	Ecklund	Hortman	Mahoney	Norton	Sundin
Applebaum	Erhardt	Isaacson	Mariani	Pelowski	Thissen
Atkins	Fischer	Johnson, C.	Marquart	Persell	Wagenius
Bernardy	Flanagan	Johnson, S.	Masin	Pinto	Wills
Bly	Freiberg	Kahn	Metsa	Poppe	Yarusso
Carlson	Halverson	Laine	Moran	Rosenthal	Youakim
Clark	Hamilton	Lesch	Mullery	Runbeck	
Considine	Hansen	Liebling	Murphy, E.	Schoen	
Davnie	Hausman	Lien	Murphy, M.	Schultz	
Dean, M.	Hilstrom	Lillie	Nelson	Selcer	

Those who voted in the negative were:

Albright	Davids	Hancock	Loon	Peppin	Theis
Anderson, C.	Dettmer	Heintzeman	Loonan	Petersburg	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lucero	Peterson	Uglen
Anderson, P.	Erickson	Hoppe	Lueck	Pierson	Urdahl
Anderson, S.	Fabian	Howe	Mack	Pugh	Vogel
Backer	Fenton	Johnson, B.	McNamara	Quam	Whelan
Baker	Franson	Kelly	Miller	Rarick	Zerwas
Barrett	Garofalo	Kiel	Nash	Sanders	Spk. Daudt
Bennett	Green	Knobloch	Newberger	Schomacker	
Christensen	Gruenhagen	Koznick	Nornes	Scott	
Cornish	Gunther	Kresha	O'Driscoll	Smith	
Daniels	Hackbarth	Lohmer	O'Neill	Swedzinski	

The motion did not prevail and the amendment was not adopted.

Runbeck moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 159, after line 16, insert:

"Sec. 31. Minnesota Statutes 2014, section 154.001, subdivision 2, is amended to read:

Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established to consist of ~~three~~ four barber members and one public member, as defined in section 214.02, appointed by the governor.

(b) The barber members shall be persons who have practiced as registered barbers in this state for at least five years immediately prior to their appointment; shall be graduates from the 12th grade of a high school or have equivalent education, and shall have knowledge of the matters to be taught in registered barber schools, as set forth in section 154.07. One of the barber members shall be a member of, or recommended by, a union of journeymen barbers that has existed at least two years, and one barber member shall be a member of, or recommended by, a professional organization of barbers.

Sec. 32. Minnesota Statutes 2014, section 154.002, is amended to read:

154.002 OFFICERS; COMPENSATION; FEES; EXPENSES.

The Board of Barber Examiners shall annually elect a chair and secretary. It shall adopt and use a common seal for the authentication of its orders and records. The board shall appoint an executive secretary or enter into an interagency agreement to procure the services of an executive secretary. The executive secretary shall not be a member of the board and shall be in the unclassified civil service. The position of executive secretary may be a part-time position.

The executive secretary shall keep a record of all proceedings of the board. The expenses of administering this chapter shall be paid from the appropriations made to the Board of Barber Examiners.

Each member of the board shall take the oath provided by law for public officers.

A majority of the board, in meeting assembled, may perform and exercise all the duties and powers devolving upon the board.

The members of the board shall receive compensation, as provided in section 214.09, for each day spent on board activities, but not to exceed 20 days in any calendar month nor 100 days in any calendar year.

The board shall have authority to employ such inspectors, clerks, deputies, and other assistants as it may deem necessary to carry out the provisions of this chapter.

Sec. 33. Minnesota Statutes 2015 Supplement, section 154.003, is amended to read:

154.003 FEES.

(a) The fees collected, as required in this chapter, chapter 214, and the rules of the board, shall be paid to the board. The board shall deposit the fees in the general fund in the state treasury.

(b) The board shall charge the following fees:

- (1) examination and certificate, registered barber, \$85;
- (2) retake of written examination, ~~registered barber~~, \$10;
- ~~(3) examination and certificate, apprentice, \$80;~~
- ~~(4) retake of written examination, apprentice, \$10;~~
- ~~(5) (3) examination and certificate, instructor, \$180;~~
- ~~(6) (4) certificate, instructor, \$65;~~

- ~~(7)~~ (5) temporary teacher or apprentice permit, \$80;
- ~~(8)~~ (6) temporary registered barber, military, \$85;
- ~~(9)~~ (7) temporary barber instructor, military, \$180;
- ~~(10)~~ temporary apprentice barber, military, \$80;
- ~~(11)~~ (8) renewal of registration, registered barber, \$80;
- ~~(12)~~ renewal of registration, apprentice, \$70;
- ~~(13)~~ (9) renewal of registration, instructor, \$80;
- ~~(14)~~ (10) renewal of temporary teacher permit, \$65;
- ~~(15)~~ (11) student permit, \$45;
- ~~(16)~~ (12) renewal of student permit, \$25;
- ~~(17)~~ (13) initial shop registration, \$85;
- ~~(18)~~ (14) initial school registration, \$1,030;
- ~~(19)~~ (15) renewal shop registration, \$85;
- ~~(20)~~ (16) renewal school registration, \$280;
- ~~(21)~~ (17) restoration of registered barber registration, \$95;
- ~~(22)~~ restoration of apprentice registration, \$90;
- ~~(23)~~ (18) restoration of shop registration, \$105;
- ~~(24)~~ (19) change of ownership or location, \$55;
- ~~(25)~~ (20) duplicate registration, \$40;
- ~~(26)~~ (21) home study course, \$75;
- ~~(27)~~ (22) letter of registration verification, \$25; and
- ~~(28)~~ (23) reinspection, \$100.

Sec. 34. Minnesota Statutes 2014, section 154.01, is amended to read:

154.01 REGISTRATION MANDATORY.

(a) The registration of the practice of barbering serves the public health and safety of the people of the state of Minnesota by ensuring that individuals seeking to practice the profession of barbering are appropriately trained in the use of the chemicals, tools, and implements of barbering and demonstrate the skills necessary to conduct barber services in a safe, sanitary, and appropriate environment required for infection control.

~~(a)~~ (b) No person shall practice, offer to practice, or attempt to practice barbering without a current certificate of registration as a registered barber, issued pursuant to provisions of sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 by the Board of Barber Examiners.

~~(b)~~ No person shall serve, offer to serve, or attempt to serve as an apprentice under a registered barber without a current certificate of registration as a registered apprentice or temporary apprentice permit issued pursuant to provisions of sections 154.001, 154.002, 154.003, 154.01 to 154.161, 154.19 to 154.21, and 154.24 to 154.26 by the Board of Barber Examiners. The registered apprentice shall, prior to or immediately upon issuance of the apprentice's certificate of registration, and immediately after changing employment, advise the board of the name, address, and certificate number of the registered barber under whom the registered apprentice is working.

(c) A registered barber must only provide barbering services in a registered barber shop or barber school, unless prior authorization is given by the board.

~~(c)~~ (d) No person shall operate a barber shop unless it is at all times under the direct supervision and management of a registered barber and the owner or operator of the barber shop possesses a current shop registration card, issued to the barber shop establishment address, under sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 by the Board of Barber Examiners.

~~(d)~~ (e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering without a current certificate of registration as a registered instructor of barbering or a temporary permit as an instructor of barbering, as provided for the board by rule, issued under sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 by the Board of Barber Examiners. Barber instruction must be provided in registered barber schools only.

~~(e)~~ (f) No person shall operate a barber school unless the owner or operator possesses a current certificate of registration as a barber school, issued under sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 by the Board of Barber Examiners.

Sec. 35. Minnesota Statutes 2014, section 154.02, is amended to read:

154.02 WHAT CONSTITUTES BARBERING DEFINITIONS.

Subdivision 1. What constitutes barbering. Any one or any combination of the following practices when done upon the head, face, and neck for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment directly or indirectly or without payment for the public generally constitutes the practice of barbering within the meaning of sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28: to shave the face or neck, trim the beard, clean, condition, cut ~~or~~ bob, color, shape, or straighten the hair of any person of either sex for compensation or other reward received by the person performing such service or any other person; to give facial and scalp massage ~~or treatments~~ with oils, creams, lotions, or other preparations either by hand or mechanical appliances; to singe, shampoo the hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics, powders, oils, clays, or lotions to hair, scalp, face, or neck.

Subd. 2. Barber school. A "barber school" is a place that holds a registration as a barber school in which barbering, as defined in subdivision 1, is practiced by registered student barbers under the direction of registered barber instructors for the purpose of learning and teaching barber skills.

Subd. 3. Barber shop. A "barber shop" is a place other than a barber school that holds a registration as a barber shop under this chapter in which barbering, as defined in subdivision 1, is practiced.

Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate issued to an individual, barber shop, or barber school that is in compliance with the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28.

Subd. 5. **Designated registered barber.** The "designated registered barber" is a registered barber designated as the manager of a barber shop.

Subd. 6. **Registered barber.** A "registered barber" is an individual who, for compensation, performs the personal services as defined in subdivision 1, in compliance with this chapter.

Sec. 36. Minnesota Statutes 2014, section 154.04, is amended to read:

154.04 PERSONS EXEMPT FROM REGISTRATION.

The following persons are exempt from the provisions of sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 while in the proper discharge of their professional duties:

- (1) persons authorized by the law of this state to practice medicine, surgery, osteopathy, and chiropractic;
- (2) commissioned medical or surgical officers of the United States armed services;
- (3) registered nurses, licensed practical nurses, and nursing aides performing services under the direction and supervision of a licensed physician or licensed registered nurse, provided, however, that no additional compensation shall be paid for such service and patients who are so attended shall not be charged for barbering;
- (4) licensed cosmetologists, when providing cosmetology services as defined in section 155A.23, subdivision 3, provided, however, that cosmetologists shall not hold themselves out as barbers or, ~~except in the case of nail technicians,~~ practice their occupation in a barber shop; and
- (5) persons who perform barbering services for charitable purposes in nursing homes, shelters, missions, individual homes, or other similar facilities, provided, however, that no direct or indirect compensation is received for the services, and that persons who receive barbering services are not charged for the services.

Sec. 37. Minnesota Statutes 2014, section 154.05, is amended to read:

154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A REGISTERED BARBER.

- (a) A person is qualified to receive a certificate of registration as a registered barber if the person:
- (1) ~~who is qualified under the provisions of section 154.06~~ has successfully completed ten grades of education;
 - (2) ~~who has practiced as a registered apprentice for a period of 12 months under the immediate personal supervision of a registered barber; and~~ (2) has successfully completed 1,500 hours of study in a board-approved barber school; and
 - (3) ~~who has passed an examination conducted by the board to determine fitness to practice barbering~~
 - (3) has passed an examination conducted by the board to determine fitness to practice barbering.

~~An apprentice~~ (b) A first-time applicant for a certificate of registration to practice as a registered barber who fails to pass the comprehensive examination conducted by the board and who fails to pass a onetime retake of the written examination, shall continue to practice as an apprentice for complete an additional 300 500 hours of barber education before being eligible to retake the comprehensive examination as many times as necessary to pass.

Sec. 38. Minnesota Statutes 2014, section 154.065, subdivision 2, is amended to read:

Subd. 2. **Qualifications.** A person is qualified to receive a certificate of registration as an instructor of barbering who:

(1) is a graduate of an approved high school, or its equivalent, as determined by examination by the Department of Education;

(2) has successfully completed vocational instructor training from a board-approved program or accredited college or university program that includes the following courses or their equivalents as determined by the board:

(i) introduction to career and technical education training;

(ii) philosophy and practice of career and technical education;

(iii) course development for career and technical education;

(iv) instructional methods for career and technical education; and

(v) human relations;

(3) is currently a registered barber and has at least three years experience as a registered barber in this state, or its equivalent in another state or jurisdiction as determined by the board; and

(4) has passed an examination conducted by the board to determine fitness to instruct in barbering.

Sec. 39. Minnesota Statutes 2014, section 154.065, subdivision 4, is amended to read:

Subd. 4. **Examinations.** Examinations under this section shall be held not to exceed twice a year at times and at a place or places to be determined by the board. In case of an emergency, there being no registered instructor of barbering available, a temporary certificate as an instructor of barbering, ~~valid only until the results of the next examination are released,~~ may be issued upon such terms and conditions as the board may prescribe.

Sec. 40. Minnesota Statutes 2014, section 154.07, is amended to read:

154.07 BARBER SCHOOLS; REQUIREMENTS.

Subdivision 1. **Admission requirements; course of instruction.** No barber school shall be approved by the board unless it requires, as a prerequisite to admission, ten grades of an approved school or its equivalent, as determined by educational transcript, high school diploma, high school equivalency certificate, or an examination conducted by the commissioner of education, which shall issue a certificate that the student has passed the required examination, and unless it requires, as a prerequisite to graduation, a course of instruction of at least 1,500 hours; of not more than ~~eight~~ ten hours of schooling in any one working day. The course of instruction must include the following subjects: scientific fundamentals for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting and dyeing the hair; and the chemical waving and straightening of hair.

Subd. 3. **Costs.** It is permissible for barber schools to make a reasonable charge for materials used and services rendered by students for work done in the schools by students.

Subd. 3a. **Number of instructors.** There must be one registered instructor of barbering for every ~~17~~ 20 students ~~or minor fraction in excess of 17~~ in attendance at the same time. Instruction must not be performed by persons not possessing a certificate of registration as an instructor of barbering or a temporary permit as an instructor of barbering.

Subd. 4. **Building requirements.** Each barber school must be conducted and operated in one building, or in connecting buildings, and a barber school must not have any department or branch in a building completely separated or removed from the remainder of the barber school.

Subd. 5. **Owner's requirements.** Any person may own ~~and operate~~ a barber school ~~if the person has had six years' continuous experience as a barber~~, provided the person first secures from the board an annual certificate of registration as a barber school, keeps it prominently displayed, and before commencing business:

(1) files with the secretary of state a bond to the state approved by the attorney general in the sum of \$25,000, conditioned upon the faithful compliance of the barber school with sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28, and to pay all judgments that may be obtained against the school, or the owners thereof, on account of fraud, misrepresentation, or deceit practiced by them or their agents; and

(2) keeps prominently displayed on the exterior a substantial sign indicating that the establishment is a barber school.

Subd. 5a. **Student permits.** All barber schools upon receiving students shall immediately apply to the board for student permits upon forms for that purpose furnished by the board.

Subd. 5b. **Designated operator.** All barber schools shall be operated by a barber with no less than six years of continuous experience as a registered barber in this state or another state or jurisdiction as determined by the board. When a person who owns a barber school does not meet the requirements of this section to operate a barber school, the owner shall notify the board in writing and under oath of the identity of the person designated to operate the barber school and shall notify the board of any change of operator by telephone within 24 hours of such change, exclusive of Saturdays, Sundays, and legal holidays, and shall notify the board in writing and under oath within 72 hours of such change.

Subd. 6. **Operation by technical college or state institution.** A public technical college or a state institution may operate a barber school provided it has in its employment a qualified instructor holding a current certificate of registration as a barber instructor and provided that it secures from the board an annual certificate of registration and does so in accordance with sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 and the rules of the board for barber schools but without the requirement to file a performance bond with the secretary of state.

Sec. 41. Minnesota Statutes 2014, section 154.08, is amended to read:

154.08 APPLICATION; FEE.

Each applicant for an examination shall:

(1) make application to the Board of Barber Examiners on blank forms prepared and furnished by it, the application to contain proof under the applicant's oath of the particular qualifications and identity of the applicant;

(2) provide all documentation required in support of the application;

(3) pay to the board the required fee; and

(4) ~~present a government issued photo identification as proof of identity upon acceptance of the notarized application and present a corresponding government-issued photo identification~~ when the applicant appears for examination.

Sec. 42. Minnesota Statutes 2014, section 154.09, is amended to read:

154.09 EXAMINATIONS, CONDUCT AND SCOPE.

The board shall conduct examinations of applicants for certificates of registration to practice as registered barbers and apprentices not more than six times each year, at such time and place as the board may determine. Additional written examinations may be scheduled by the board and conducted by board staff as designated by the board. The proprietor of a barber school must file an affidavit with the board of hours completed by students applying to take the apprentice registered barber examination. Students must complete 1,500 hours the full 1,500-hour curriculum in a barber school approved by the board within the past four years to be eligible for examination. Barber students who have completed barber school more than four years prior to application, that have not obtained a barber registration, license, or certificate in any jurisdiction must complete an additional 500 hours of barber school education to be eligible for the registered barber examination. Registered barbers that fail to renew their registration for four or more years are required to take the registered barber examination to reinstate the registration.

The examination of applicants for certificates of registration as barbers ~~and apprentices~~ shall include a practical demonstration and a written ~~and oral~~ test. The examination must cover the subjects ~~usually~~ taught in barber schools registered with the board, including applicable state statute and rule.

Sec. 43. Minnesota Statutes 2014, section 154.10, subdivision 2, is amended to read:

Subd. 2. **Certificates of registration; fees.** When the provisions of this chapter have been complied with, the board shall issue a certificate of registration as a registered barber, ~~as a registered apprentice~~, as a registered instructor of barbering, or as a registered barber school, ~~a temporary apprentice permit~~, a temporary permit as an instructor of barbering, or a barber shop registration card upon payment of the required fee. Certificates of registration, temporary permits, and shop registration cards are not transferable.

Sec. 44. Minnesota Statutes 2014, section 154.11, subdivision 1, is amended to read:

Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the requirements for barber registration in sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 and either has a currently active license, certificate of registration, or ~~an~~ equivalent as a practicing barber or instructor of barbering as verified from another state or, if presenting foreign country credentials as verified by a board-approved professional credential evaluation provider, which in the discretion of the board has substantially the same requirements for registering barbers and instructors of barbering as required by sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ or ~~can prove by sworn affidavits practice as a barber or instructor of barbering in another state or country for at least five years immediately prior to making application in this state,~~ 154.28 shall, upon payment of the required fee, be issued a certificate of registration without examination.

(b) Individuals without a current documented license, certificate of registration, or equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber education as verified by the barber school attended in the other state or if presenting foreign country education as verified by a board-approved professional credential evaluation provider, completed within the previous four years, which, in the discretion of the board, has substantially the same requirements as required in sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28 will be eligible for examination.

(c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject to all the requirements of section 154.05.

Sec. 45. Minnesota Statutes 2015 Supplement, section 154.11, subdivision 3, is amended to read:

Subd. 3. **Temporary military permits.** (a) In accordance with section 197.4552, the board shall issue a temporary:

- (1) ~~permit for apprentice barbers;~~
- (2) (1) certificate for registered barbers; and
- (3) (2) certificate for registered barber instructors.

(b) Fees for temporary military permits and certificates of registration under this subdivision are listed under section 154.003.

(c) Permits or certificates of registration issued under this subdivision are valid for one year from the date of issuance, after which the individual must complete a full application as required by section 197.4552.

Sec. 46. Minnesota Statutes 2014, section 154.14, is amended to read:

154.14 CERTIFICATES OF REGISTRATION AND TEMPORARY PERMITS TO BE DISPLAYED.

Every holder of a certificate of registration as a registered barber ~~or registered apprentice or temporary apprentice permit~~ shall display the certificate or permit, with a photograph of the certificate or permit holder that meets the same standards as required for a United States passport, in a conspicuous place adjacent to or near the chair where work is performed. Every holder of a certificate of registration as an instructor of barbering or a temporary permit as an instructor of barbering shall display the certificate or permit, with a photograph of the certificate or permit holder that meets the same standards as required for a United States passport, in a conspicuous place within the barber school that is accessible to the public. Every holder of a certificate of registration as a barber school and of a barber shop registration card shall display it in a conspicuous place within the establishment that is accessible to the public.

Sec. 47. Minnesota Statutes 2014, section 154.15, is amended to read:

154.15 CERTIFICATES OF REGISTRATION MUST BE RENEWED ANNUALLY.

Subdivision 1. **Annual renewal required.** All registered barbers, ~~registered apprentices,~~ and registered instructors of barbering who continue in active practice or service shall, on or before December 31 each year, renew their certificates of registration for the following year and pay the required fee. Every certificate of registration which has not been renewed during the month of December in any year shall expire on the 31st day of December in that year. All shop registration cards shall be renewed on or before June 30 of each year upon payment of the required fee. All certificates of registration as a barber school shall be renewed on or before December 31 of each year upon payment of the required fee.

Subd. 2. **Effect of failure to renew.** A registered barber ~~or a registered apprentice~~ who has not renewed a certificate of registration may be reinstated within four years of such failure to renew without examination upon the payment of the required restoration fee for each year the certificate is lapsed. A registered instructor of barbering who has not renewed a certificate of registration may be reinstated within four years of such failure to renew without examination upon payment of the required restoration fee for each year the certificate is lapsed. All registered

barbers ~~and registered apprentices~~ who allow their certificates of registration to lapse for more than four years shall be required to reexamine before being issued a certificate of registration. All registered instructors of barbering who allow their certificates of registration to lapse for more than four years shall be required to reexamine before being issued a certificate of registration. A barber shop owner who has not renewed the barber shop certificate for more than one year may reinstate the barber shop registration upon payment of the restoration fee for each year the shop card was lapsed. If lapsed or unregistered status is discovered by the barber inspector during inspection, penalties under section 154.162 shall apply.

Sec. 48. Minnesota Statutes 2015 Supplement, section 154.161, subdivision 4, is amended to read:

Subd. 4. **Registration actions.** (a) With respect to a person who is a holder of or applicant for registration or a shop registration card under sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28, the board may by order deny, refuse to renew, suspend, temporarily suspend, or revoke the application, certificate of registration, or shop registration card, censure or reprimand the person, refuse to permit the person to sit for examination, or refuse to release the person's examination grades, if the board finds that such an order is in the public interest and that, based on a preponderance of the evidence presented, the person has:

- (1) violated a statute, rule, or order that the board has adopted or issued or is empowered to enforce;
- (2) engaged in conduct or acts that are fraudulent, deceptive, or dishonest, whether or not the conduct or acts relate to the practice of barbering, if the fraudulent, deceptive, or dishonest conduct or acts reflect adversely on the person's ability or fitness to engage in the practice of barbering;
- (3) engaged in conduct or acts that constitute malpractice, are negligent, demonstrate incompetence, or are otherwise in violation of the standards in the rules of the board, where the conduct or acts relate to the practice of barbering;
- (4) employed fraud or deception in obtaining a certificate of registration, shop registration card, renewal, or reinstatement, or in passing all or a portion of the examination;
- (5) had a certificate of registration or shop registration card, right to examine, or other similar authority revoked in another jurisdiction;
- (6) failed to meet any requirement for issuance or renewal of the person's certificate of registration or shop registration card;
- (7) practiced as a barber while having an infectious or contagious disease;
- (8) advertised by means of false or deceptive statements;
- (9) demonstrated intoxication or indulgence in the use of drugs, including but not limited to narcotics as defined in section 152.01 or in United States Code, title 26, section 4731, barbiturates, amphetamines, benzedrine, dexedrine, or other sedatives, depressants, stimulants, or tranquilizers;
- (10) demonstrated unprofessional conduct or practice;
- (11) permitted an employee or other person under the person's supervision or control to practice as a registered barber, ~~registered apprentice~~, or registered instructor of barbering unless that person has (i) a current certificate of registration as a registered barber, ~~registered apprentice~~, or registered instructor of barbering, (ii) a temporary apprentice permit, or (iii) a temporary permit as an instructor of barbering;

(12) practices, offered to practice, or attempted to practice by misrepresentation;

(13) failed to display a certificate of registration as required by section 154.14;

(14) used any room or place of barbering that is also used for any other purpose, or used any room or place of barbering that violates the board's rules governing sanitation;

(15) in the case of a barber, ~~apprentice~~, or other person working in or in charge of any barber shop, or any person in a barber school engaging in the practice of barbering, failed to use separate and clean towels for each customer or patron, or to discard and launder each towel after being used once;

(16) in the case of a barber or other person in charge of any barber shop or barber school, (i) failed to supply in a sanitary manner clean hot and cold water in quantities necessary to conduct the shop or barbering service for the school, (ii) failed to have water and sewer connections from the shop or barber school with municipal water and sewer systems where they are available for use, or (iii) failed or refused to maintain a receptacle for hot water of a capacity of at least five gallons;

(17) refused to permit the board to make an inspection permitted or required by sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28, or failed to provide the board or the attorney general on behalf of the board with any documents or records they request;

(18) failed promptly to renew a certificate of registration or shop registration card when remaining in practice, pay the required fee, or issue a worthless check;

(19) ~~failed to supervise a registered apprentice or temporary apprentice~~, or permitted the practice of barbering by a person not registered with the board or not holding a temporary permit;

(20) refused to serve a customer because of race, color, creed, religion, disability, national origin, or sex;

(21) failed to comply with a provision of sections 136A.82 to 136A.834, or a provision of another chapter that relates to barber schools; or

(22) with respect to temporary suspension orders, has committed an act, engaged in conduct, or committed practices that the board, or complaint committee if authorized by the board, has determined may result or may have resulted in an immediate threat to the public.

(b) In lieu of or in addition to any remedy under paragraph (a), the board may as a condition of continued registration, termination of suspension, reinstatement of registration, examination, or release of examination results, require that the person:

(1) submit to a quality review of the person's ability, skills, or quality of work, conducted in a manner and by a person or entity that the board determines; or

(2) complete to the board's satisfaction continuing education as the board requires.

(c) Service of an order under this subdivision is effective if the order is served personally on, or is served by certified mail to the most recent address provided to the board by the certificate holder, applicant, or counsel of record. The order must state the reason for the entry of the order.

(d) Except as provided in subdivision 5, paragraph (c), all hearings under this subdivision must be conducted in accordance with the Administrative Procedure Act.

Sec. 49. Minnesota Statutes 2014, section 154.161, subdivision 7, is amended to read:

Subd. 7. **Reinstatement.** The board may reinstate a suspended, revoked, or surrendered certificate of registration or shop registration card, on petition of the former or suspended registrant. The board may in its sole discretion place any conditions on reinstatement of a suspended, revoked, or surrendered certificate of registration or shop registration card that it finds appropriate and necessary to ensure that the purposes of sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 are met. No certificate of registration or shop registration card may be reinstated until the former registrant has completed at least one-half of the suspension period.

Sec. 50. Minnesota Statutes 2014, section 154.162, is amended to read:

154.162 ADMINISTRATIVE PENALTIES.

The board shall impose and collect the following penalties:

- (1) missing or lapsed shop registration discovered upon inspection; penalty imposed on shop owner: up to \$500;
- (2) unregistered ~~apprentice or registered~~ barber, first occurrence discovered upon inspection; penalty imposed on shop owner and unlicensed or unregistered individual: up to \$500; and
- (3) unregistered ~~apprentice or registered~~ barber, second occurrence discovered upon inspection; penalty imposed on shop owner and unlicensed or unregistered individual: up to \$1,000.

Sec. 51. Minnesota Statutes 2014, section 154.19, is amended to read:

154.19 VIOLATIONS.

Each of the following constitutes a misdemeanor:

- (1) The violation of any of the provisions of section 154.01;
- (2) Permitting any person in one's employ, supervision, or control to practice as a registered barber ~~or registered apprentice~~ unless that person has a certificate of registration as a registered barber ~~or registered apprentice~~;
- (3) Obtaining or attempting to obtain a certificate of registration for money other than the required fee, or any other thing of value, or by fraudulent misrepresentation;
- (4) Practicing or attempting to practice by fraudulent misrepresentation;
- (5) The willful failure to display a certificate of registration as required by section 154.14;
- (6) The use of any room or place for barbering which is also used for residential or business purposes, except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, candies in original package, and such commodities as are used and sold in barber shops, and except that shoeshining and an agency for the reception and delivery of laundry, or either, may be conducted in a barber shop without the same being construed as a violation of this section, unless a substantial partition of ceiling height separates the portion used for residential or business purposes, and where a barber shop is situated in a residence, poolroom, confectionery, store, restaurant, garage, clothing store, liquor store, hardware store, or soft drink parlor, there must be an outside entrance leading into the barber shop independent of any entrance leading into such business establishment, except that this provision as to an outside entrance shall not apply to barber shops in operation at the time of the passage of this section and except that a barber shop and ~~beauty parlor~~ cosmetology salon may be operated in conjunction, without the same being separated by partition of ceiling height;

(7) The failure or refusal of any barber or other person in charge of any barber shop, or any person in barber schools or colleges doing barber service work, to use separate and clean towels for each customer or patron, or to discard and launder each towel after once being used;

(8) The failure or refusal by any barber or other person in charge of any barber shop or barber school or barber college to supply clean hot and cold water in such quantities as may be necessary to conduct such shop, or the barbering service of such school or college, in a sanitary manner, or the failure or refusal of any such person to have water and sewer connections from such shop, or barber school or college, with municipal water and sewer systems where the latter are available for use, or the failure or refusal of any such person to maintain a receptacle for hot water of a capacity of not less than five gallons;

(9) For the purposes of this section, barbers, students, ~~apprentices~~, or the proprietor or manager of a barber shop, or barber school or barber college, shall be responsible for all violations of the ~~sanitary~~ sanitation and disinfection provisions of this section, ~~and~~. If any barber workstation in any barber shop, or barber school or barber college, upon inspection, shall be found to be in an unsanitary condition, the person making such inspection shall immediately issue an order to place the barber shop, or barber school, or barber college, in a sanitary condition, in a manner and within a time satisfactory to the Board of Barber Examiners, and for the failure to comply with such order the board shall immediately file a complaint for the arrest of the persons upon whom the order was issued, and any registered barber who shall fail to comply with the rules adopted by the Board of Barber Examiners, with the approval of the state commissioner of health, or the violation or commission of any of the offenses described in this section and section 154.161, subdivision 4, paragraph (a), clauses (1), (3), and (4) to (12), shall be fined not less than \$10 or imprisoned for ten days and not more than \$100 or imprisoned for 90 days.

Sec. 52. Minnesota Statutes 2014, section 154.21, is amended to read:

154.21 PERJURY.

The willful making of any false statement as to a material matter in any oath or affidavit which is required by the provisions of sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 is perjury and punishable as such.

Sec. 53. Minnesota Statutes 2014, section 154.24, is amended to read:

154.24 RULES.

The Board of Barber Examiners shall have authority to make reasonable rules for the administration of the provisions of sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28 and prescribe sanitary sanitation and disinfection requirements for barber shops and barber schools, subject to the approval of the state commissioner of health. Any member of the board, or its agents or assistants, shall have authority to enter upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules adopted by the board shall be furnished by it to the owner or manager of each barber shop or barber school and such copy shall be posted in a conspicuous place in such barber shop or barber school.

The board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension, and revocation of certificates of registration. This record shall contain the name, place of business, and residence of each registered barber ~~and registered apprentice~~, and the date and number of the certificate of registration. This record shall be open to public inspection at all reasonable times.

Sec. 54. Minnesota Statutes 2014, section 154.25, is amended to read:

154.25 NOT TO SERVE CERTAIN PERSONS.

No person practicing the occupation of a barber in any barber shop, barber school, or college in this state shall knowingly serve a person afflicted, in a dangerous or infectious state of ~~the~~ disease, with ~~erysipelas, eczema, impetigo, sycosis, or any other~~ contagious or infectious disease. Any person so afflicted is hereby prohibited from being served in any barber shop, barber school, or college in this state. Any violation of this section shall be considered a misdemeanor as provided for in sections 154.001, 154.002, 154.003, 154.01 to ~~154.161~~ 154.162, 154.19 to 154.21, and 154.24 to ~~154.26~~ 154.28."

Page 177, after line 10, insert:

"Sec. 73. **RULEMAKING.**

The Board of Barber Examiners may use expedited rulemaking procedures under Minnesota Statutes, section 14.389, to amend Minnesota Rules, chapter 2100, to conform with this act.

Sec. 74. **TRANSITIONING APPRENTICE BARBERS TO REGISTERED BARBERS.**

An apprentice barber practicing on August 1, 2016, is eligible to apply for registered barber status. An apprentice barber must take the registered barber examination to become a registered barber. All apprentice barber registrations will be discontinued on December 31, 2017."

Page 177, after line 13, insert:

"(c) Minnesota Statutes 2014, sections 154.03; 154.06; 154.11, subdivision 2; and 154.12, are repealed.

Sec. 76. **EFFECTIVE DATE.**

Sections 31 to 54 and 73 to 75 are effective August 1, 2016."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Knoblach moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 141, line 4, delete "\$260,000" and insert "\$440,000"

Page 142, delete line 3 and insert:

"Sec. 8. HUMAN RIGHTS**\$-0-****\$180,000**

\$180,000 is appropriated for a St. Cloud office. This amount is added to the base appropriation, for purposes of the St. Cloud office."

A roll call was requested and properly seconded.

The question was taken on the Knoblach amendment and the roll was called. There were 81 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Allen	Cornish	Hamilton	Lien	Mullery	Schultz
Anderson, C.	Daniels	Hansen	Lillie	Nelson	Selcer
Anderson, P.	Davids	Hausman	Loeffler	Nornes	Sundin
Anzenc	Davnie	Hilstrom	Loon	Norton	Theis
Applebaum	Dettmer	Hornstein	Loonan	O'Driscoll	Thissen
Atkins	Ecklund	Hortman	Lueck	Pelowski	Torkelson
Backer	Erhardt	Isaacson	Mahoney	Persell	Uglen
Baker	Fischer	Johnson, C.	Mariani	Pierson	Urdahl
Bennett	Flanagan	Johnson, S.	Marquart	Pinto	Wagenius
Bernardy	Franson	Kahn	Masin	Poppe	Yarusso
Bly	Freiberg	Knoblach	McNamara	Quam	Youakim
Carlson	Garofalo	Laine	Metsa	Rosenthal	
Clark	Gunther	Lesch	Miller	Schoen	
Considine	Halverson	Liebling	Moran	Schomacker	

Those who voted in the negative were:

Albright	Fenton	Howe	Mack	Petersburg	Smith
Anderson, M.	Green	Johnson, B.	Murphy, E.	Peterson	Swedzinski
Anderson, S.	Gruenhagen	Kelly	Murphy, M.	Pugh	Vogel
Barrett	Hackbarth	Kiel	Nash	Rarick	Whelan
Christensen	Hancock	Koznick	Newberger	Runbeck	Wills
Drazkowski	Heintzeman	Kresha	Newton	Sanders	Spk. Daudt
Erickson	Hertaus	Lohmer	O'Neill	Scott	
Fabian	Hoppe	Lucero	Peppin	Simonson	

The motion prevailed and the amendment was adopted.

Liebling moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 23, delete section 4

Page 26, after line 5, insert:

"Sec. 5. Minnesota Statutes 2015 Supplement, section 256B.76, subdivision 4, is amended to read:

Subd. 4. **Critical access dental providers.** (a) ~~Effective for dental services rendered on or after January 1, 2002,~~ The commissioner shall increase reimbursements to dentists and dental clinics deemed by the commissioner to be critical access dental providers. For dental services rendered on or after July 1, ~~2007~~ 2016, the commissioner shall increase reimbursement by ~~35~~ 37 percent above the reimbursement rate that would otherwise be paid to the critical access dental provider, except as specified under paragraph (b). The commissioner shall pay the managed care plans and county-based purchasing plans in amounts sufficient to reflect increased reimbursements to critical access dental providers as approved by the commissioner.

(b) For dental services rendered on or after July 1, 2016, by a dental clinic or dental group that meets the critical access dental provider designation under paragraph (d), clause (4), and is owned and operated by a health maintenance organization licensed under chapter 62D, the commissioner shall increase reimbursement by 35 percent above the reimbursement rate that would otherwise be paid to the critical access provider.

~~(c)~~ (c) Critical access dental payments made under paragraph (a) or (b) for dental services provided by a critical access dental provider to an enrollee of a managed care plan or county-based purchasing plan must not reflect any capitated payments or cost-based payments from the managed care plan or county-based purchasing plan. The managed care plan or county-based purchasing plan must base the additional critical access dental payment on the amount that would have been paid for that service had the dental provider been paid according to the managed care plan or county-based purchasing plan's fee schedule that applies to dental providers that are not paid under a capitated payment or cost-based payment.

(d) The commissioner shall designate the following dentists and dental clinics as critical access dental providers:

(1) nonprofit community clinics that:

(i) have nonprofit status in accordance with chapter 317A;

(ii) have tax exempt status in accordance with the Internal Revenue Code, section 501(c)(3);

(iii) are established to provide oral health services to patients who are low income, uninsured, have special needs, and are underserved;

(iv) have professional staff familiar with the cultural background of the clinic's patients;

(v) charge for services on a sliding fee scale designed to provide assistance to low-income patients based on current poverty income guidelines and family size;

(vi) do not restrict access or services because of a patient's financial limitations or public assistance status; and

(vii) have free care available as needed;

(2) federally qualified health centers, rural health clinics, and public health clinics;

(3) ~~city or county~~ hospital-based dental clinics owned and operated ~~hospital-based dental clinics~~ by a city, county, or former state hospital as defined in section 62Q.19, subdivision 1, paragraph (a), clause (4);

(4) a dental clinic or dental group owned and operated by a nonprofit corporation in accordance with chapter 317A with more than 10,000 patient encounters per year with patients who are uninsured or covered by medical assistance or MinnesotaCare;

(5) a dental clinic owned and operated by the University of Minnesota or the Minnesota State Colleges and Universities system; and

(6) private practicing dentists if:

(i) the dentist's office is located within ~~a health professional shortage area as defined under Code of Federal Regulations, title 42, part 5, and United States Code, title 42, section 254E;~~

~~(ii) more than the seven-county metropolitan area and more than 50 percent of the dentist's patient encounters per year are with patients who are uninsured or covered by medical assistance or MinnesotaCare; and or~~

~~(iii) the level of service provided by the dentist is critical to maintaining adequate levels of patient access within the service area in which the dentist operates.~~

(ii) the dentist's office is located outside the seven-county metropolitan area and more than 25 percent of the dentist's patient encounters per year are with patients who are uninsured or covered by medical assistance or MinnesotaCare."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Liebling moved to amend the Liebling amendment to H. F. No. 3467, the second engrossment, as amended, as follows:

Page 1, line 10, delete "37" and insert "36"

Page 1, line 11, after the period, insert "For dental services rendered on or after July 1, 2017, the commissioner shall increase reimbursement by 37 percent above the reimbursement rate that would otherwise be paid to the critical access dental provider, except as specified in paragraph (b)."

The motion prevailed and the amendment to the amendment was adopted.

Dean, M., requested a division of the Liebling amendment, as amended, to H. F. No. 3467, the second engrossment, as amended.

The first portion of the Liebling amendment, as amended, to H. F. No. 3467, the second engrossment, as amended, reads as follows:

Page 23, delete section 4

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the first portion of the Liebling amendment, as amended, and the roll was called. There were 51 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hilstrom	Liebling	Murphy, M.	Simonson
Anzelc	Ecklund	Hornstein	Lillie	Nelson	Sundin
Applebaum	Erhardt	Hortman	Loeffler	Newton	Thissen
Atkins	Fischer	Isaacson	Mahoney	Persell	Wagenius
Bernardy	Flanagan	Johnson, C.	Mariani	Pinto	Yarusso
Bly	Freiberg	Johnson, S.	Masin	Rosenthal	Youakim
Carlson	Halverson	Kahn	Moran	Schoen	
Clark	Hansen	Laine	Mullery	Schultz	
Davnie	Hausman	Lesch	Murphy, E.	Selcer	

Those who voted in the negative were:

Albright	Dean, M.	Heintzeman	Lucero	Pelowski	Swedzinski
Anderson, C.	Dettmer	Hertaus	Lueck	Peppin	Theis
Anderson, M.	Drazkowski	Hoppe	Mack	Petersburg	Torkelson
Anderson, P.	Erickson	Howe	Marquart	Peterson	Uglen
Anderson, S.	Fabian	Johnson, B.	McDonald	Pierson	Urdahl
Backer	Fenton	Kelly	McNamara	Poppe	Vogel
Baker	Franson	Kiel	Metsa	Pugh	Whelan
Barrett	Garofalo	Knoblach	Miller	Quam	Wills
Bennett	Green	Koznick	Nash	Rarick	Zerwas
Christensen	Gruenhagen	Kresha	Newberger	Runbeck	Spk. Daudt
Considine	Gunther	Lien	Nornes	Sanders	
Cornish	Hackbarth	Lohmer	Norton	Schomacker	
Daniels	Hamilton	Loon	O'Driscoll	Scott	
Davids	Hancock	Loonan	O'Neill	Smith	

The motion did not prevail and the first portion of the Liebling amendment, as amended, was not adopted.

Considine was excused for the remainder of today's session.

The second portion of the Liebling amendment, as amended, to H. F. No. 3467, the second engrossment, as amended, reads as follows:

Page 26, after line 5, insert:

"Sec. 5. Minnesota Statutes 2015 Supplement, section 256B.76, subdivision 4, is amended to read:

Subd. 4. **Critical access dental providers.** (a) ~~Effective for dental services rendered on or after January 1, 2002,~~ The commissioner shall increase reimbursements to dentists and dental clinics deemed by the commissioner to be critical access dental providers. For dental services rendered on or after July 1, ~~2007~~ 2016, the commissioner shall increase reimbursement by ~~35~~ 36 percent above the reimbursement rate that would otherwise be paid to the critical access dental provider, ~~except as specified under paragraph (b).~~ For dental services rendered on or after July 1, 2017, the commissioner shall increase reimbursement by 37 percent above the reimbursement rate that would otherwise be paid to the critical access dental provider, except as specified in paragraph (b). The commissioner shall pay the managed care plans and county-based purchasing plans in amounts sufficient to reflect increased reimbursements to critical access dental providers as approved by the commissioner.

(b) For dental services rendered on or after July 1, 2016, by a dental clinic or dental group that meets the critical access dental provider designation under paragraph (d), clause (4), and is owned and operated by a health maintenance organization licensed under chapter 62D, the commissioner shall increase reimbursement by 35 percent above the reimbursement rate that would otherwise be paid to the critical access provider.

~~(b)~~ (c) Critical access dental payments made under paragraph (a) or (b) for dental services provided by a critical access dental provider to an enrollee of a managed care plan or county-based purchasing plan must not reflect any capitated payments or cost-based payments from the managed care plan or county-based purchasing plan. The managed care plan or county-based purchasing plan must base the additional critical access dental payment on the amount that would have been paid for that service had the dental provider been paid according to the managed care plan or county-based purchasing plan's fee schedule that applies to dental providers that are not paid under a capitated payment or cost-based payment.

(d) The commissioner shall designate the following dentists and dental clinics as critical access dental providers:

(1) nonprofit community clinics that:

(i) have nonprofit status in accordance with chapter 317A;

(ii) have tax exempt status in accordance with the Internal Revenue Code, section 501(c)(3);

(iii) are established to provide oral health services to patients who are low income, uninsured, have special needs, and are underserved;

(iv) have professional staff familiar with the cultural background of the clinic's patients;

(v) charge for services on a sliding fee scale designed to provide assistance to low-income patients based on current poverty income guidelines and family size;

(vi) do not restrict access or services because of a patient's financial limitations or public assistance status; and

(vii) have free care available as needed;

(2) federally qualified health centers, rural health clinics, and public health clinics;

(3) ~~city or county~~ hospital-based dental clinics owned and operated ~~hospital-based dental clinics~~ by a city, county, or former state hospital as defined in section 62Q.19, subdivision 1, paragraph (a), clause (4);

(4) a dental clinic or dental group owned and operated by a nonprofit corporation in accordance with chapter 317A with more than 10,000 patient encounters per year with patients who are uninsured or covered by medical assistance or MinnesotaCare;

(5) a dental clinic owned and operated by the University of Minnesota or the Minnesota State Colleges and Universities system; and

(6) private practicing dentists if:

(i) the dentist's office is located within ~~a health professional shortage area as defined under Code of Federal Regulations, title 42, part 5, and United States Code, title 42, section 254E;~~

~~(ii) more than 50 percent of the dentist's patient encounters per year are with patients who are uninsured or covered by medical assistance or MinnesotaCare; and or~~

~~(iii) the level of service provided by the dentist is critical to maintaining adequate levels of patient access within the service area in which the dentist operates.~~

(ii) the dentist's office is located outside the seven-county metropolitan area and more than 25 percent of the dentist's patient encounters per year are with patients who are uninsured or covered by medical assistance or MinnesotaCare."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the second portion of the Liebling amendment, as amended, was adopted.

Hilstrom moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 180, after line 4, insert:

"Sec. 3. Minnesota Statutes 2014, section 241.01, subdivision 3a, is amended to read:

Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the following powers and duties:

(a) To accept persons committed to the commissioner by the courts of this state for care, custody, and rehabilitation.

(b) To determine the place of confinement of committed persons in a correctional facility or other facility of the Department of Corrections and to prescribe reasonable conditions and rules for their employment, conduct, instruction, and discipline within or outside the facility. After July 1, 2016, the commissioner shall not allow inmates to be housed in facilities that are not owned and operated by the state, a local unit of government, or a group of local units of government. Inmates shall not exercise custodial functions or have authority over other inmates.

(c) To administer the money and property of the department.

(d) To administer, maintain, and inspect all state correctional facilities.

(e) To transfer authorized positions and personnel between state correctional facilities as necessary to properly staff facilities and programs.

(f) To utilize state correctional facilities in the manner deemed to be most efficient and beneficial to accomplish the purposes of this section, but not to close the Minnesota Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without legislative approval. The commissioner may place juveniles and adults at the same state minimum security correctional facilities, if there is total separation of and no regular contact between juveniles and adults, except contact incidental to admission, classification, and mental and physical health care.

(g) To organize the department and employ personnel the commissioner deems necessary to discharge the functions of the department, including a chief executive officer for each facility under the commissioner's control who shall serve in the unclassified civil service and may, under the provisions of section 43A.33, be removed only for cause.

(h) To define the duties of these employees and to delegate to them any of the commissioner's powers, duties and responsibilities, subject to the commissioner's control and the conditions the commissioner prescribes.

(i) To annually develop a comprehensive set of goals and objectives designed to clearly establish the priorities of the Department of Corrections. This report shall be submitted to the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory committees.

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

Sec. 4. **[243.95] PRIVATE PRISON CONTRACTS PROHIBITED.**

The commissioner may not contract with privately owned and operated prisons for the care, custody, and rehabilitation of offenders committed to the custody of the commissioner.

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

Page 180, after line 24, insert:

"Sec. 6. **[641.015] PLACEMENT IN PRIVATE PRISONS PROHIBITED.**

Subdivision 1. **Placement prohibited.** After August 1, 2016, a sheriff shall not allow inmates committed to the custody of the sheriff to be housed in facilities that are not owned and operated by a local government, or a group of local units of government.

Subd. 2. **Contracts prohibited.** The county board may not authorize the sheriff to contract with privately owned and operated prisons for the care, custody, and rehabilitation of offenders committed to the custody of the sheriff.

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

Page 181, delete section 5

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Hilstrom amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Allen	Clark	Freiberg	Hortman	Liebling	Masin
Anzelc	Davnie	Halverson	Isaacson	Lien	Metsa
Applebaum	Dehn, R.	Hamilton	Johnson, C.	Lillie	Moran
Atkins	Ecklund	Hansen	Johnson, S.	Loeffler	Mullery
Bernardy	Erhardt	Hausman	Kahn	Mahoney	Murphy, E.
Bly	Fischer	Hilstrom	Laine	Mariani	Murphy, M.
Carlson	Flanagan	Hornstein	Lesch	Marquart	Nelson

Newton	Persell	Rosenthal	Selcer	Thissen	Youakim
Norton	Pinto	Schoen	Simonson	Wagenius	
Pelowski	Poppe	Schultz	Sundin	Yarusso	

Those who voted in the negative were:

Albright	Dean, M.	Hancock	Loon	O'Neill	Smith
Anderson, M.	Dettmer	Heintzeman	Loonan	Peppin	Swedzinski
Anderson, P.	Drazkowski	Hertaus	Lucero	Petersburg	Theis
Anderson, S.	Erickson	Hoppe	Lueck	Peterson	Torkelson
Backer	Fabian	Howe	Mack	Pierson	Uglem
Baker	Fenton	Johnson, B.	McDonald	Pugh	Urdahl
Barrett	Franson	Kelly	McNamara	Quam	Vogel
Bennett	Garofalo	Kiel	Miller	Rarick	Whelan
Christensen	Green	Knoblach	Nash	Runbeck	Wills
Cornish	Gruenhagen	Koznick	Newberger	Sanders	Zerwas
Daniels	Gunther	Kresha	Nornes	Schomacker	Spk. Daudt
Davids	Hackbarth	Lohmer	O'Driscoll	Scott	

The motion did not prevail and 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.	Hausman	Lillie	Newberger	Schultz
Allen	Dehn, R.	Heintzeman	Loeffler	Newton	Scott
Anderson, C.	Dettmer	Hertaus	Lohmer	Nornes	Selcer
Anderson, M.	Drazkowski	Hilstrom	Loon	Norton	Simonson
Anderson, P.	Ecklund	Hoppe	Loonan	O'Driscoll	Smith
Anderson, S.	Erhardt	Hornstein	Lucero	O'Neill	Sundin
Anzelc	Erickson	Hortman	Lueck	Pelowski	Swedzinski
Applebaum	Fabian	Howe	Mack	Peppin	Theis
Atkins	Fenton	Isaacson	Mahoney	Persell	Thissen
Backer	Fischer	Johnson, B.	Mariani	Petersburg	Torkelson
Baker	Flanagan	Johnson, C.	Marquart	Peterson	Uglem
Barrett	Franson	Johnson, S.	Masin	Pierson	Urdahl
Bennett	Freiberg	Kahn	McDonald	Pinto	Vogel
Bernardy	Garofalo	Kelly	McNamara	Poppe	Wagenius
Bly	Green	Kiel	Metsa	Pugh	Whelan
Carlson	Gruenhagen	Knoblach	Miller	Quam	Wills
Christensen	Gunther	Koznick	Moran	Rarick	Yarusso
Clark	Hackbarth	Kresha	Mullery	Rosenthal	Youakim
Cornish	Halverson	Laine	Murphy, E.	Runbeck	Zerwas
Daniels	Hamilton	Lesch	Murphy, M.	Sanders	Spk. Daudt
Davids	Hancock	Liebling	Nash	Schoen	
Davnie	Hansen	Lien	Nelson	Schomacker	

All members answered to the call and it was so ordered.

Mullery moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 43, delete section 5 and insert:

"Sec. 5. **[144.7031] PRESCRIPTION DRUG COST TRANSPARENCY.**

Subdivision 1. Intent and findings. It is the intent of the legislature to make pharmaceutical pricing as transparent as possible. To fulfill this goal, the legislature finds that there should be annual cost reporting on the most expensive drugs that would allow policymakers, government agencies, and others to understand costs for these important products.

Subd. 2. Definitions. (a) For purposes of this section, the following definitions apply.

(b) "Manufacturer" has the meaning provided in section 151.01, subdivision 14a.

(c) "Wholesale acquisition cost" or "WAC" means the manufacturer's list price for a drug or biological to wholesalers or direct purchasers in the United States, not including prompt pay or other discounts, rebates, or reductions in price, for the most recent month for which information is available, as reported in wholesale price guides or other publications of drug or biological pricing data.

Subd. 3. Cost reporting for qualifying drugs. (a) Each manufacturer of a prescription drug, made available in Minnesota, that has a wholesale acquisition cost (WAC) of \$1,000 or more per month or per course of treatment, shall file a report with the commissioner as provided in this subdivision on the cost for each qualifying drug.

(b) The report shall include all of the following for each qualifying drug:

(1) the total cost for the production of the drug, including all of the following:

(i) the total research and development cost paid by the manufacturer, and separately, the total research and development cost paid by any predecessor in the development of the drug;

(ii) the total cost of clinical trials and other regulatory costs paid by the manufacturer, and separately, the total cost of clinical trials and other regulatory costs paid by any predecessor in the development of the drug;

(iii) the total cost for materials, manufacturing, and administration attributable to the drug;

(iv) the total cost paid by any entity other than the manufacturer or predecessor for research and development, including any amount from federal, state, or other governmental programs or any form of subsidies, grants, or other support;

(v) any other cost to acquire the drug, including the cost for the purchase of patents, licensing, or acquisition of any corporate entity owning any rights to the drug while in development, or all of these; and

(vi) the total marketing and advertising cost for the promotion of the drug directly to consumers including, but not limited to, the cost associated with direct-to-consumer coupons and the amount redeemed, total marketing and advertising cost for promotion of the drug directly or indirectly to prescribers, and any other advertising for the drug;

(2) a cumulative annual history of average wholesale price (AWP) and WAC increases for the drug, expressed as percentages, including the month each increase in each category, AWP and WAC, took effect;

(3) the total profit attributable to the drug as represented in total dollars and as a percentage of the total company profits that were derived from the sale of the drug; and

(4) the total amount of financial assistance the manufacturer has provided through patient prescription assistance programs, if available.

(c) All of the information in paragraph (b) shall be itemized and documented by the manufacturer and audited by a fully independent third-party auditor prior to filing.

(d) Manufacturers shall file the information required by this subdivision annually with the commissioner on a form prescribed by the commissioner, no later than May 1, 2017, and each May 1 thereafter.

Subd. 4. **Report to the legislature.** The commissioner shall issue a report annually to the legislature, no later than August 1, 2017, and each August 1 thereafter, summarizing the information submitted under this section. The commissioner shall also make the report available to the public on the agency Web site.

Subd. 5. **Advisory committee.** The commissioner shall develop the form required by this section, and shall consult with representatives of the pharmaceutical industry, health carriers, pharmacy benefit managers, state agencies, consumer advocates, pharmacists, and physicians.

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

Page 125, line 35, delete "\$202,000" and insert "\$64,000"

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mullery amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hornstein	Lillie	Murphy, M.	Schultz
Anderson, C.	Ecklund	Hortman	Loeffler	Nelson	Selcer
Anzelc	Erhardt	Isaacson	Mahoney	Newton	Simonson
Applebaum	Fischer	Johnson, C.	Mariani	Norton	Sundin
Atkins	Flanagan	Johnson, S.	Marquart	Pelowski	Thissen
Bernardy	Freiberg	Kahn	Masin	Persell	Wagenius
Bly	Halverson	Laine	Metsa	Pinto	Yarusso
Carlson	Hansen	Lesch	Moran	Poppe	Youakim
Clark	Hausman	Liebling	Mullery	Rosenthal	
Davnie	Hilstrom	Lien	Murphy, E.	Schoen	

Those who voted in the negative were:

Albright	Dean, M.	Hamilton	Lohmer	O'Driscoll	Scott
Anderson, M.	Dettmer	Hancock	Loon	O'Neill	Smith
Anderson, P.	Drazkowski	Heintzeman	Loonan	Peppin	Swedzinski
Anderson, S.	Erickson	Hertaus	Lucero	Petersburg	Theis
Backer	Fabian	Hoppe	Lueck	Peterson	Torkelson
Baker	Fenton	Howe	Mack	Pierson	Uglem
Barrett	Franson	Johnson, B.	McDonald	Pugh	Urdahl
Bennett	Garofalo	Kelly	McNamara	Quam	Vogel
Christensen	Green	Kiel	Miller	Rarick	Whelan
Cornish	Gruenhagen	Knoblach	Nash	Runbeck	Wills
Daniels	Gunther	Koznick	Newberger	Sanders	Zerwas
Davids	Hackbarth	Kresha	Nornes	Schomacker	Spk. Daudt

The motion did not prevail and the amendment was not adopted.

Hilstrom moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 181, delete section 5

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 Hilstrom amendment to H. F. No. 3467, the second engrossment, as amended, as follows:

Page 1, delete line 2 and insert:

"Page 181, delete section 5 and insert:

"Sec. 5. **CORRECTIONS; RESTRICTIONS ON HOUSING INMATES IN PRIVATE PRISONS.**

The Department of Corrections shall not contract, lease, or purchase a correctional facility owned by a company that:

(1) owns or operates prisons that house immigrants under contract with United States Immigration and Customs Enforcement;

(2) has lobbied for and obtained bed quotas from the federal government for the purpose of immigrant detention; or

(3) has been negligent in providing medical care to persons committed to the custody of the company."

The motion did not prevail and the amendment to the amendment was not adopted.

The Speaker called Garofalo to the Chair.

Lesch moved to amend the Hilstrom amendment to H. F. No. 3467, the second engrossment, as amended, as follows:

Page 1, delete line 2 and insert:

"Page 181, delete section 5 and insert:

"Sec. 5. **CORRECTIONS; RESTRICTIONS ON HOUSING INMATES IN PRIVATE PRISONS.**

The Department of Corrections shall not contract, lease, or purchase a correctional facility owned by a company that has a documented record of violating the federal Uniformed Services Employment and Reemployment Act."

A roll call was requested and properly seconded.

The question was taken on the Lesch amendment to the Hilstrom amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hilstrom	Liebling	Mullery	Rosenthal
Anderson, C.	Ecklund	Hoppe	Lien	Murphy, E.	Schoen
Anzelc	Erhardt	Hornstein	Lillie	Murphy, M.	Schultz
Applebaum	Fischer	Hortman	Loeffler	Nelson	Selcer
Atkins	Flanagan	Isaacson	Mahoney	Newton	Simonson
Bernardy	Freiberg	Johnson, C.	Mariani	Norton	Sundin
Bly	Halverson	Johnson, S.	Marquart	Pelowski	Thissen
Carlson	Hamilton	Kahn	Masin	Persell	Wagenius
Clark	Hansen	Laine	Metsa	Pinto	Yarusso
Davnie	Hausman	Lesch	Moran	Poppe	Youakim

Those who voted in the negative were:

Albright	Dean, M.	Hancock	Loonan	Peppin	Swedzinski
Anderson, M.	Dettmer	Heintzeman	Lucero	Petersburg	Theis
Anderson, P.	Drazkowski	Hertaus	Lueck	Peterson	Torkelson
Anderson, S.	Erickson	Howe	Mack	Pierson	Uglem
Backer	Fabian	Johnson, B.	McDonald	Pugh	Urdahl
Baker	Fenton	Kelly	McNamara	Quam	Vogel
Barrett	Franson	Kiel	Miller	Rarick	Whelan
Bennett	Garofalo	Knoblach	Nash	Runbeck	Wills
Christensen	Green	Koznick	Newberger	Sanders	Zerwas
Cornish	Gruenhagen	Kresha	Nornes	Schomacker	Spk. Daudt
Daniels	Gunther	Lohmer	O'Driscoll	Scott	
Davids	Hackbarth	Loon	O'Neill	Smith	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Hilstrom amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hilstrom	Lien	Murphy, E.	Schoen
Anderson, C.	Ecklund	Hornstein	Lillie	Murphy, M.	Schultz
Anzelc	Erhardt	Hortman	Loeffler	Nelson	Selcer
Applebaum	Fischer	Isaacson	Mahoney	Newton	Simonson
Atkins	Flanagan	Johnson, C.	Mariani	Norton	Sundin
Bernardy	Freiberg	Johnson, S.	Marquart	Pelowski	Thissen
Bly	Halverson	Kahn	Masin	Persell	Wagenius
Carlson	Hamilton	Laine	Metsa	Pinto	Yarusso
Clark	Hansen	Lesch	Moran	Poppe	Youakim
Davnie	Hausman	Liebling	Mullery	Rosenthal	

Those who voted in the negative were:

Albright	Dean, M.	Hancock	Loon	O'Neill	Smith
Anderson, M.	Dettmer	Heintzeman	Loonan	Peppin	Swedzinski
Anderson, P.	Drazkowski	Hertaus	Lucero	Petersburg	Theis
Anderson, S.	Erickson	Hoppe	Lueck	Peterson	Torkelson
Backer	Fabian	Howe	Mack	Pierson	Uglem
Baker	Fenton	Johnson, B.	McDonald	Pugh	Urdahl
Barrett	Franson	Kelly	McNamara	Quam	Vogel
Bennett	Garofalo	Kiel	Miller	Rarick	Whelan
Christensen	Green	Knoblach	Nash	Runbeck	Wills
Cornish	Gruenhagen	Koznick	Newberger	Sanders	Zerwas
Daniels	Gunther	Kresha	Nornes	Schomacker	Spk. Daudt
Davids	Hackbarth	Lohmer	O'Driscoll	Scott	

The motion did not prevail and the amendment was not adopted.

Carlson moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 170, delete section 40

Page 172, delete section 41

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Carlson amendment and the roll was called.

Peppin moved that those not voting be excused from voting. The motion did not prevail.

Thissen moved that those not voting be excused from voting. The motion did not prevail.

There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Allen	Dauids	Hausman	Liebling	Mullery	Rosenthal
Anzelc	Davnie	Hilstrom	Lien	Murphy, E.	Schoen
Applebaum	Dehn, R.	Hornstein	Lillie	Murphy, M.	Schultz
Atkins	Ecklund	Hortman	Loeffler	Nelson	Selcer
Baker	Erhardt	Isaacson	Mahoney	Newton	Simonson
Bernardy	Fischer	Johnson, C.	Mariani	Norton	Sundin
Bly	Flanagan	Johnson, S.	Marquart	Pelowski	Thissen
Carlson	Freiberg	Kahn	Masin	Persell	Urdahl
Clark	Halverson	Laine	Metsa	Pinto	Yarusso
Cornish	Hansen	Lesch	Moran	Poppe	Youakim

Those who voted in the negative were:

Albright	Drazkowski	Heintzeman	Loonan	Peppin	Swedzinski
Anderson, C.	Erickson	Hertaus	Lucero	Petersburg	Theis
Anderson, M.	Fabian	Hoppe	Lueck	Peterson	Torkelson
Anderson, P.	Fenton	Howe	Mack	Pierson	Uglen
Anderson, S.	Franson	Johnson, B.	McDonald	Pugh	Vogel
Backer	Garofalo	Kelly	McNamara	Quam	Whelan
Barrett	Green	Kiel	Miller	Rarick	Wills
Bennett	Gruenhagen	Knoblach	Nash	Runbeck	Zerwas
Christensen	Gunther	Koznick	Newberger	Sanders	Spk. Daudt
Daniels	Hackbarth	Kresha	Nornes	Schomacker	
Dean, M.	Hamilton	Lohmer	O'Driscoll	Scott	
Dettmer	Hancock	Loon	O'Neill	Smith	

The motion did not prevail and the amendment was not adopted.

Drazkowski moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 86, after line 23, insert:

"Sec. 20. **DIRECTION TO LEGISLATIVE AUDITOR; REFUGEE RESETTLEMENT COSTS.**

(a) The legislative auditor shall conduct or contract with vendors to conduct independent third-party financial audits of federal, state, local, and nonprofit spending related to refugee resettlement costs and other services provided to refugees in Minnesota. The audits by the vendors shall be conducted as vendor resources permit and in accordance with generally accepted government auditing standards issued by the United States Government Accountability Office.

(b) For purposes of this section, "independent third-party" means a vendor that is independent in accordance with government auditing standards issued by the United States Government Accountability Office.

(c) The legislative auditor shall report the results of the financial audits required under paragraph (a) to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services finance and policy by February 1, 2017.

(d) The commissioner of human services shall, in fiscal year 2017, transfer to the Office of the Legislative Auditor the amount necessary to conduct the financial audits under paragraph (a). The central office appropriation under Laws 2015, chapter 71, article 14, section 2, subdivision 3, is reduced accordingly."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Pinto raised a point of order pursuant to rule 3.21 that the Drazkowski amendment was not in order. Speaker pro tempore Garofalo ruled the point of order not well taken and the Drazkowski amendment in order.

The question recurred on the Drazkowski amendment and the roll was called. There were 36 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Gruenhagen	Loonan	Nornes	Scott
Anderson, M.	Dettmer	Hackbarth	Lucero	Peppin	Smith
Anderson, S.	Drazkowski	Hancock	McDonald	Pierson	Urdahl
Bennett	Fabian	Heintzeman	Miller	Pugh	Whelan
Cornish	Franson	Hertaus	Nash	Quam	Zerwas
Davids	Green	Lohmer	Newberger	Runbeck	Spk. Daudt

Those who voted in the negative were:

Allen	Dehn, R.	Hornstein	Lien	Nelson	Schultz
Anderson, C.	Ecklund	Hortman	Lillie	Newton	Selcer
Anderson, P.	Erhardt	Howe	Loeffler	Norton	Simonson
Anzelc	Erickson	Isaacson	Loon	O'Driscoll	Sundin
Applebaum	Fenton	Johnson, B.	Lueck	O'Neill	Swedzinski
Atkins	Fischer	Johnson, C.	Mack	Pelowski	Theis
Backer	Flanagan	Johnson, S.	Mahoney	Persell	Thissen
Baker	Freiberg	Kahn	Mariani	Petersburg	Torkelson
Barrett	Garofalo	Kelly	Marquart	Peterson	Uglen
Bernardy	Gunther	Kiel	Masin	Pinto	Vogel
Bly	Halverson	Knoblach	McNamara	Poppe	Wagenius
Carlson	Hamilton	Koznick	Metsa	Rarick	Wills
Christensen	Hansen	Kresha	Moran	Rosenthal	Yarusso
Clark	Hausman	Laine	Mullery	Sanders	Youakim
Daniels	Hilstrom	Lesch	Murphy, E.	Schoen	
Davnie	Hoppe	Liebling	Murphy, M.	Schomacker	

The motion did not prevail and the amendment was not adopted.

Pursuant to rule 1.50, Peppin moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

Halverson moved to amend H. F. No. 3467, the second engrossment, as amended.

Dean, M., requested a division of the Halverson amendment to H. F. No. 3467, the second engrossment, as amended.

The first portion of the Halverson amendment to H. F. No. 3467, the second engrossment, as amended, reads as follows:

Page 33, after line 8, insert:

"Sec. 7. Minnesota Statutes 2014, section 62V.05, is amended by adding a subdivision to read:

Subd. 4a. **Processing qualifying life events and changes in circumstances.** (a) The MNsure board and the commissioner of human services shall jointly develop procedures to require qualifying life events and changes in circumstances, reported by persons enrolled through the Minnesota eligibility technology system in a public health care program or a qualified health plan, to be processed within 30 days of receiving a report of a qualifying life event or change in circumstances. The procedures must be developed and implemented no later than September 1, 2016. The commissioner shall communicate these procedures to county staff in a timely manner and shall provide guidance and training as necessary to assist county staff in complying with this subdivision.

(b) For purposes of this subdivision, a qualifying life event or change in circumstances that must be processed within 30 days includes the following:

(1) a change of address;

(2) a change in enrollment in a federally recognized tribe;

(3) a change of a dependent through birth, adoption, foster care, or a child support order;

(4) a change in circumstances resulting in eligibility changes for advanced premium tax credits or cost-sharing reductions;

(5) a change in employer-sponsored insurance resulting in eligibility changes for advanced premium tax credits or cost-sharing reductions;

(6) loss of a dependent due to death or divorce;

(7) an achievement of citizenship, status as a United States national, or lawfully present status;

(8) loss of health care coverage;

(9) marriage;

(10) being a victim of domestic abuse or spousal abandonment;

(11) a MNsure mistake related to enrollment, disenrollment, or failure to enroll in a qualified health plan;

(12) a violation of a material provision of a qualified health plan contract; and

(13) other life events or changes in circumstances specified by the commissioner or the MNsure board."

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

POINT OF ORDER

Thissen raised a point of order relating to custom and usage. The Speaker ruled the point of order not well taken.

The question recurred on the first portion of the Halverson amendment to H. F. No. 3467, the second engrossment, as amended. The motion prevailed and the first portion of the Halverson amendment was adopted.

The second portion of the Halverson amendment to H. F. No. 3467, the second engrossment, as amended, reads as follows:

Page 28, delete section 1

Page 31, delete section 6

Page 33, delete sections 7 and 8 and insert:

"Sec. 6. Minnesota Statutes 2014, section 62V.05, subdivision 2, is amended to read:

Subd. 2. **Operations funding.** ~~(a) Prior to January 1, 2015, MNsure shall retain or collect up to 1.5 percent of total premiums for individual and small group market health plans and dental plans sold through MNsure to fund the cash reserves of MNsure, but the amount collected shall not exceed a dollar amount equal to 25 percent of the funds collected under section 62E.11, subdivision 6, for calendar year 2012.~~

~~(b) Beginning January 1, 2015, MNsure shall retain or collect up to 3.5 percent of total premiums for individual and small group market health plans and dental plans sold through MNsure to fund the operations of MNsure, but the amount collected shall not exceed a dollar amount equal to 50 percent of the funds collected under section 62E.11, subdivision 6, for calendar year 2012.~~

~~(c) Beginning January 1, 2016, through December 31, 2017, MNsure shall retain or collect up to 3.5 percent of total premiums for individual and small group market health plans and dental plans sold through MNsure to fund the operations of MNsure, but the amount collected may never exceed a dollar amount greater than 100 percent of the funds collected under section 62E.11, subdivision 6, for calendar year 2012.~~

(b) Beginning January 1, 2018, through December 31, 2018, MNsure shall retain or collect up to three percent of total premiums for individual and small group market health plans and dental plans sold through MNsure to fund the operation of MNsure, but the amount collected may never exceed a dollar amount greater than 100 percent of the funds collected under section 62E.11, subdivision 6, for calendar year 2012.

(c) Beginning January 1, 2019, MNsure shall retain or collect up to 2.5 percent of total premiums for individual and small group market health plans and dental plans sold through MNsure to fund the operation of MNsure, but the amount collected may never exceed a dollar amount greater than 100 percent of the funds collected under section 62E.11, subdivision 6, for calendar year 2012.

~~(d) For fiscal years 2014 and 2015, the commissioner of management and budget is authorized to provide cash flow assistance of up to \$20,000,000 from the special revenue fund or the statutory general fund under section 16A.671, subdivision 3, paragraph (a), to MNsure. Any funds provided under this paragraph shall be repaid, with interest, by June 30, 2015. The funding reductions in paragraphs (b) and (c) shall be implemented in a manner that does not negatively impact the customer service MNsure provides to consumers.~~

(e) Funding for the operations of MNsure shall cover any compensation provided to navigators participating in the navigator program.

Sec. 8. Minnesota Statutes 2014, section 62V.05, is amended by adding a subdivision to read:

Subd. 4b. **Small business health options program outreach and assistance.** The MNsure board and the commissioner of commerce shall jointly develop and implement an outreach and assistance program to provide small businesses with information about the small business health options program (SHOP) and assist small businesses with comparing health plans and obtaining coverage through SHOP. The outreach and assistance program must provide small businesses with information about the benefits of purchasing coverage through SHOP and information about using a broker to create an account and choose coverage through SHOP. The outreach and assistance program must be implemented in time for the 2018 open enrollment period.

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

Page 35, delete section 11

Page 36, delete section 12

Page 37, delete section 14

Page 38, delete sections 15 and 16 and insert:

"Sec. 14. **SMALL BUSINESS HEALTH OPTIONS PROGRAM.**

The MNsure board shall develop a plan to improve the operation of the MNsure portal for small employers using the small business health options program (SHOP) to compare health plan coverage options and obtain or renew coverage. The plan must list specific improvements to be made to the portal and must include a timeline for implementation for each improvement. Initial improvements to the portal must be implemented in time for the 2017 open enrollment period. The MNsure board shall provide a report on the plan by September 1, 2016, to the Legislative Oversight Committee established under Minnesota Statutes, section 62V.11, and shall provide a report on plan implementation to the Legislative Oversight Committee by March 1, 2017.

Sec. 15. **EFFORTS TO STABILIZE MARKETPLACE PREMIUMS.**

(a) In order to stabilize marketplace premiums, the commissioner of commerce shall:

(1) study and create models of potential Minnesota-tailored rate stability mechanisms for the individual marketplace, such as a reinsurance program;

(2) study and create models merging the state's individual and small group markets; and

(3) study options for making the state's rate review process more transparent utilizing public information and hearings.

(b) The commissioner shall issue a report on the preliminary findings of the studies listed in paragraph (a) to the chairs and ranking minority members of the legislative committees with jurisdiction over health and marketplace premiums by January 15, 2017."

Page 43, delete section 5

Page 125, line 22, delete "523,000" and insert "273,000"

Page 128, after line 20, insert:

"Sec. 7. **COMMISSIONER OF COMMERCE**

\$-0-

\$250,000

Stabilizing Marketplace Premiums. This appropriation is for studies and modeling related to stabilizing marketplace premiums."

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

Thissen moved that the House adjourn.

A roll call was requested and properly seconded.

The question was taken on the Thissen motion and the roll was called. There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Allen	Ecklund	Hortman	Loeffler	Nelson	Selcer
Anzelc	Erhardt	Isaacson	Mahoney	Newton	Simonson
Applebaum	Fischer	Johnson, C.	Mariani	Norton	Sundin
Atkins	Flanagan	Johnson, S.	Marquart	Pelowski	Thissen
Bernardy	Freiberg	Kahn	Masin	Persell	Wagenius
Bly	Halverson	Laine	Metsa	Pinto	Yarusso
Carlson	Hansen	Lesch	Moran	Poppe	Youakim
Clark	Hausman	Liebling	Mullery	Rosenthal	
Davnie	Hilstrom	Lien	Murphy, E.	Schoen	
Dehn, R.	Hornstein	Lillie	Murphy, M.	Schultz	

Those who voted in the negative were:

Albright	Anderson, P.	Baker	Christensen	Dauids	Drazkowski
Anderson, C.	Anderson, S.	Barrett	Cornish	Dean, M.	Erickson
Anderson, M.	Backer	Bennett	Daniels	Dettmer	Fabian

Fenton	Hertaus	Loon	Nornes	Runbeck	Vogel
Franson	Hoppe	Loonan	O'Driscoll	Sanders	Whelan
Garofalo	Howe	Lucero	O'Neill	Schomacker	Wills
Green	Johnson, B.	Lueck	Peppin	Scott	Zerwas
Gruenhagen	Kelly	Mack	Petersburg	Smith	Spk. Daudt
Gunther	Kiel	McDonald	Peterson	Swedzinski	
Hackbarth	Knoblach	McNamara	Pierson	Theis	
Hamilton	Koznick	Miller	Pugh	Torkelson	
Hancock	Kresha	Nash	Quam	Uglem	
Heintzeman	Lohmer	Newberger	Rarick	Urdahl	

The motion did not prevail.

Urdahl was excused between the hours of 11:20 p.m. and 11:55 p.m.

POINT OF ORDER

Thissen raised a point of order pursuant to rule 3.03, relating to Division of a Question, that the first portion of the Halverson amendment was not in order. Speaker pro tempore Garofalo ruled the point of order not well taken and the first portion of the Halverson amendment in order.

Halverson withdrew the second portion of the Halverson amendment to H. F. No. 3467, the second engrossment, as amended.

The Speaker resumed the Chair.

Loeffler offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Dean, M., 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 Loeffler amendment was not in order. The Speaker ruled the point of order well taken and the Loeffler amendment out of order.

Loeffler appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 72 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Albright	Anderson, P.	Barrett	Cornish	Dean, M.	Erickson
Anderson, C.	Anderson, S.	Bennett	Daniels	Dettmer	Fabian
Anderson, M.	Backer	Christensen	Davids	Draskowski	Fenton

Franson	Hertaus	Lohmer	Nash	Pugh	Theis
Garofalo	Hoppe	Loon	Newberger	Quam	Torkelson
Green	Howe	Loonan	Nornes	Rarick	Uglen
Gruenhagen	Johnson, B.	Lucero	O'Driscoll	Runbeck	Urdahl
Gunther	Kelly	Lueck	O'Neill	Sanders	Vogel
Hackbarth	Kiel	Mack	Peppin	Schomacker	Whelan
Hamilton	Knoblach	McDonald	Petersburg	Scott	Wills
Hancock	Koznick	McNamara	Peterson	Smith	Zerwas
Heintzeman	Kresha	Miller	Pierson	Swedzinski	Spk. Daudt

Those who voted in the negative were:

Allen	Dehn, R.	Hornstein	Lillie	Murphy, M.	Schultz
Anzelc	Ecklund	Hortman	Loeffler	Nelson	Selcer
Applebaum	Erhardt	Isaacson	Mahoney	Newton	Simonson
Atkins	Fischer	Johnson, C.	Mariani	Norton	Sundin
Baker	Flanagan	Johnson, S.	Marquart	Pelowski	Thissen
Bernardy	Freiberg	Kahn	Masin	Persell	Wagenius
Bly	Halverson	Laine	Metsa	Pinto	Yarusso
Carlson	Hansen	Lesch	Moran	Poppe	Youakim
Clark	Hausman	Liebling	Mullery	Rosenthal	
Davnie	Hilstrom	Lien	Murphy, E.	Schoen	

So it was the judgment of the House that the decision of the Speaker should stand.

Murphy, E., offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Loon raised a point of order pursuant to rule 3.21 that the Murphy, E., amendment was not in order. The Speaker ruled the point of order well taken and the Murphy, E., amendment out of order.

Murphy, E., appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 74 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Albright	Bennett	Erickson	Hackbarth	Kelly	Lucero
Anderson, C.	Christensen	Fabian	Hamilton	Kiel	Lueck
Anderson, M.	Cornish	Fenton	Hancock	Knoblach	Mack
Anderson, P.	Daniels	Franson	Heintzeman	Koznick	McDonald
Anderson, S.	Dauids	Garofalo	Hertaus	Kresha	McNamara
Backer	Dean, M.	Green	Hoppe	Lohmer	Miller
Baker	Dettmer	Gruenhagen	Howe	Loon	Murphy, M.
Barrett	Drazkowski	Gunther	Johnson, B.	Loonan	Nash

Newberger	Petersburg	Rarick	Smith	Urdahl	Spk. Daudt
Nornes	Peterson	Runbeck	Swedzinski	Vogel	
O'Driscoll	Pierson	Sanders	Theis	Whelan	
O'Neill	Pugh	Schomacker	Torkelson	Wills	
Peppin	Quam	Scott	Uglen	Zerwas	

Those who voted in the negative were:

Allen	Ecklund	Hortman	Loeffler	Newton	Simonson
Anzelc	Erhardt	Isaacson	Mahoney	Norton	Sundin
Applebaum	Fischer	Johnson, C.	Mariani	Pelowski	Thissen
Atkins	Flanagan	Johnson, S.	Marquart	Persell	Wagenius
Bernardy	Freiberg	Kahn	Masin	Pinto	Yarusso
Bly	Halverson	Laine	Metsa	Poppe	Youakim
Carlson	Hansen	Lesch	Moran	Rosenthal	
Clark	Hausman	Liebling	Mullery	Schoen	
Davnie	Hilstrom	Lien	Murphy, E.	Schultz	
Dehn, R.	Hornstein	Lillie	Nelson	Selcer	

So it was the judgment of the House that the decision of the Speaker should stand.

Lohmer moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 50, after line 24, insert:

"Sec. 15. Minnesota Statutes 2014, section 145.882, subdivision 2, is amended to read:

Subd. 2. **Allocation to commissioner of health.** (a) Beginning January 1, 1986, up to one-third of the total maternal and child health block grant money may be retained by the commissioner of health to:

(1) meet federal maternal and child block grant requirements of a statewide needs assessment every five years and prepare the annual federal block grant application and report;

(2) collect and disseminate statewide data on the health status of mothers and children within one year of the end of the year;

(3) provide technical assistance to community health boards in meeting statewide outcomes;

(4) evaluate the impact of maternal and child health activities on the health status of mothers and children;

(5) provide services to children under age 16 receiving benefits under title XVI of the Social Security Act; and

(6) perform other maternal and child health activities listed in section 145.88 and as deemed necessary by the commissioner.

(b) Any money under this subdivision used by the commissioner for grants for the provision of prepregnancy family planning services must be distributed under section 145.925.

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

Sec. 16. Minnesota Statutes 2014, section 145.882, subdivision 3, is amended to read:

Subd. 3. **Allocation to community health boards.** (a) The maternal and child health block grant money remaining after distributions made under subdivision 2 and used for services other than pre-pregnancy family planning services must be allocated according to the formula in section 145A.131, subdivision 2, for distribution to community health boards. Maternal and child health block grant money used for the provision of pre-pregnancy family planning services must be distributed under section 145.925.

(b) A community health board that receives funding under this section shall provide at least a 50 percent match for funds received under United States Code, title 42, sections 701 to 709. Eligible funds must be used to meet match requirements. Eligible funds include funds from local property taxes, reimbursements from third parties, fees, other funds, donations, nonfederal grants, or state funds received under the local public health grant defined in section 145A.131, that are used for maternal and child health activities as described in subdivision 7.

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

Sec. 17. Minnesota Statutes 2014, section 145.882, subdivision 7, is amended to read:

Subd. 7. **Use of block grant money.** Maternal and child health block grant money allocated to a community health board under this section must be used for qualified programs for high risk and low-income individuals. Block grant money allocated under this section or for family planning services under section 145.925 must be used for programs that:

(1) specifically address the highest risk populations, particularly low-income and minority groups with a high rate of infant mortality and children with low birth weight, by providing services, including pre-pregnancy family planning services, calculated to produce measurable decreases in infant mortality rates, instances of children with low birth weight, and medical complications associated with pregnancy and childbirth, including infant mortality, low birth rates, and medical complications arising from chemical abuse by a mother during pregnancy;

(2) specifically target pregnant women whose age, medical condition, maternal history, or chemical abuse substantially increases the likelihood of complications associated with pregnancy and childbirth or the birth of a child with an illness, disability, or special medical needs;

(3) specifically address the health needs of young children who have or are likely to have a chronic disease or disability or special medical needs, including physical, neurological, emotional, and developmental problems that arise from chemical abuse by a mother during pregnancy;

(4) provide family planning and preventive medical care for specifically identified target populations, such as minority and low-income teenagers, in a manner calculated to decrease the occurrence of inappropriate pregnancy and minimize the risk of complications associated with pregnancy and childbirth;

(5) specifically address the frequency and severity of childhood and adolescent health issues, including injuries in high risk target populations by providing services calculated to produce measurable decreases in mortality and morbidity;

(6) specifically address preventing child abuse and neglect, reducing juvenile delinquency, promoting positive parenting and resiliency in children, and promoting family health and economic sufficiency through public health nurse home visits under section 145A.17; or

(7) specifically address nutritional issues of women, infants, and young children through WIC clinic services.

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

Page 51, after line 17, insert:

"Sec. 19. Minnesota Statutes 2014, section 145.925, subdivision 1, is amended to read:

Subdivision 1. ~~Eligible organizations; Purpose.~~ The commissioner of health ~~may~~ shall make ~~special grants to cities, counties, groups of cities or counties, or nonprofit corporations~~ to provide pre-pregnancy family planning services.

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

Sec. 20. Minnesota Statutes 2014, section 145.925, subdivision 1a, is amended to read:

Subd. 1a. ~~Family planning services; defined~~ **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Community health board" has the meaning given in section 145A.02, subdivision 5.

(c) "Family planning" means voluntary action by individuals to prevent or aid conception.

(d) "Family planning services" means counseling by trained personnel regarding family planning; distribution of information relating to family planning; referral to licensed physicians or local health agencies for consultation, examination, medical treatment, genetic counseling, and prescriptions for the purpose of family planning; and the distribution of family planning products, such as charts, thermometers, drugs, medical preparations, and contraceptive devices. For purposes of sections 145A.01 to 145A.14, family planning shall mean voluntary action by individuals to prevent or aid conception but does not include the performance, or make referrals for encouragement of voluntary termination of pregnancy.

(e) "Federally qualified health center" has the meaning given in section 145.9269, subdivision 1.

(f) "Hospital" means a facility licensed as a hospital under section 144.55.

(g) "Public health clinic" means a health clinic operated by one or more local units of government or community health boards or by the University of Minnesota and that has as a primary focus the provision of primary and preventive health care services and immunizations.

(h) "Rural health clinic" means a rural health clinic as defined in United States Code, title 42, section 1395x(aa)(2) that is certified according to Code of Federal Regulations, title 42, part 491, subpart A.

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

Sec. 21. Minnesota Statutes 2014, section 145.925, is amended by adding a subdivision to read:

Subd. 1b. **Commissioner to apply for federal Title X funds.** For each federal Title X grant fund cycle, the commissioner shall apply to the federal Department of Health and Human Services for grant funds under Title X of the federal Public Health Service Act, United States Code, title 42, sections 300 to 300a-6.

EFFECTIVE DATE. This section is effective beginning with the federal 2018 application deadline for Title X grant funds.

Sec. 22. Minnesota Statutes 2014, section 145.925, is amended by adding a subdivision to read:

Subd. 1c. **State and federal funds distributed according to this section.** The commissioner shall distribute the following funds according to subdivision 1d:

(1) federal Title X funds received by the commissioner according to an application submitted under subdivision 1b;

(2) funds appropriated from the general fund and the federal TANF fund for purposes of grants under this section; and

(3) maternal and child health block grant funds used for pre-pregnancy family planning services.

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

Sec. 23. Minnesota Statutes 2014, section 145.925, is amended by adding a subdivision to read:

Subd. 1d. **Distribution; eligible entities.** The commissioner shall distribute the funds specified in subdivision 1c to public entities, including community health boards and public health clinics, that apply to the commissioner for funds to provide family planning services according to procedures established by the commissioner. If any funds remain after the commissioner fulfills all approved grant requests from public entities for the grant period, the commissioner may distribute the remaining funds to nonpublic entities that:

(1) are hospitals, federally qualified health centers, or rural health clinics;

(2) provide comprehensive primary and preventive health care services in addition to family planning services; and

(3) apply to the commissioner for funds to provide family planning services according to procedures established by the commissioner.

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

Sec. 24. Minnesota Statutes 2014, section 145.925, is amended by adding a subdivision to read:

Subd. 1e. **Subgrants from public entities.** (a) A public entity that receives funds from the commissioner under subdivision 1d may distribute some or all of the funds as subgrants to other public or private entities to provide family planning services. Except as provided in paragraph (b), an entity is not eligible for a subgrant under this subdivision if the entity provides abortion services or has an affiliate that provides abortion services.

(b) An entity that provides abortion services or has an affiliate that provides abortion services is eligible for a subgrant under this subdivision if the entity or affiliate provides abortion services solely when the abortion is directly and medically necessary to save the life of the woman, provided a physician signs a certification stating the direct and medical necessity of the abortion.

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

Sec. 25. Minnesota Statutes 2014, section 145.925, is amended by adding a subdivision to read:

Subd. 10. **Reporting and publication of grant and subgrant recipients.** At least once every grant cycle, a public entity that distributes funds under subdivision 1e shall provide the commissioner of health with a list of the entities that received subgrants to provide family planning services and the amount of each subgrant. At least once

every grant cycle, the commissioner of health shall publish on the department's Web site a list of all the entities that received funds as a grant from the commissioner under subdivision 1d or a subgrant from a public entity under subdivision 1e, and the amount of the grant or subgrant received by each entity.

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

Page 54, line 27, before "Minnesota" insert "(a)"

Page 54, after line 28, insert:

"(b) Minnesota Statutes 2014, section 145.925, subdivision 2, is repealed effective July 1, 2017."

Page 125, line 35, delete "\$202,000" and insert "\$174,000"

Page 126, after line 33, insert:

Family Planning. \$28,000 in fiscal year 2017 from the general fund is for costs related to amendments to Minnesota Statutes, section 145.925."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Hamilton was excused for the remainder of today's session.

The question was taken on the Lohmer amendment and the roll was called.

Drazkowski moved that those not voting be excused from voting. The motion prevailed.

There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Hackbarth	Lohmer	O'Neill	Swedzinski
Anderson, C.	Dean, M.	Hancock	Loon	Peppin	Theis
Anderson, M.	Dettmer	Heintzeman	Loonan	Petersburg	Torkelson
Anderson, P.	Drazkowski	Hertaus	Lucero	Pierson	Uglen
Anderson, S.	Erickson	Hoppe	Lueck	Pugh	Urdahl
Backer	Fabian	Howe	Mack	Quam	Vogel
Baker	Fenton	Johnson, B.	McDonald	Rarick	Whelan
Barrett	Franson	Kelly	Miller	Runbeck	Wills
Bennett	Garofalo	Kiel	Nash	Sanders	Zerwas
Christensen	Green	Knoblach	Newberger	Schomacker	Spk. Daudt
Cornish	Gruenhagen	Koznick	Nornes	Scott	
Daniels	Gunther	Kresha	O'Driscoll	Smith	

Those who voted in the negative were:

Allen	Ecklund	Hortman	Loeffler	Nelson	Schultz
Anzelc	Erhardt	Isaacson	Mahoney	Newton	Selcer
Applebaum	Fischer	Johnson, C.	Mariani	Norton	Simonson
Atkins	Flanagan	Johnson, S.	Marquart	Pelowski	Sundin
Bernardy	Freiberg	Kahn	Masin	Persell	Thissen
Bly	Halverson	Laine	McNamara	Peterson	Wagenius
Carlson	Hansen	Lesch	Metsa	Pinto	Yarusso
Clark	Hausman	Liebling	Moran	Poppe	Youakim
Davnie	Hilstrom	Lien	Murphy, E.	Rosenthal	
Dehn, R.	Hornstein	Lillie	Murphy, M.	Schoen	

The motion prevailed and the amendment was adopted.

Schoen offered an amendment to H. F. No. 3467, the second engrossment, as amended.

POINT OF ORDER

Cornish 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.

Schoen appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 84 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Hancock	Loonan	O'Driscoll	Schomacker
Anderson, C.	Dean, M.	Heintzeman	Lucero	O'Neill	Scott
Anderson, M.	Dettmer	Hertaus	Lueck	Pelowski	Smith
Anderson, P.	Drazkowski	Hoppe	Mack	Peppin	Sundin
Anderson, S.	Ecklund	Howe	Marquart	Persell	Swedzinski
Anzelc	Erickson	Johnson, B.	McDonald	Petersburg	Theis
Atkins	Fabian	Kelly	McNamara	Peterson	Torkelson
Backer	Fenton	Kiel	Metsa	Pierson	Uglen
Baker	Franson	Knoblach	Miller	Poppe	Urdahl
Barrett	Garofalo	Koznick	Murphy, M.	Pugh	Vogel
Bennett	Green	Kresha	Nash	Quam	Whelan
Christensen	Gruenhagen	Lien	Newberger	Rarick	Wills
Cornish	Gunther	Lohmer	Newton	Runbeck	Zerwas
Daniels	Hackbarth	Loon	Nornes	Sanders	Spk. Daudt

Those who voted in the negative were:

Allen	Erhardt	Hornstein	Liebling	Murphy, E.	Simonson
Applebaum	Fischer	Hortman	Lillie	Nelson	Thissen
Bernardy	Flanagan	Isaacson	Loeffler	Norton	Wagenius
Bly	Freiberg	Johnson, C.	Mahoney	Pinto	Yarusso
Carlson	Halverson	Johnson, S.	Mariani	Rosenthal	Youakim
Clark	Hansen	Kahn	Masin	Schoen	
Davnie	Hausman	Laine	Moran	Schultz	
Dehn, R.	Hilstrom	Lesch	Mullery	Selcer	

So it was the judgment of the House that the decision of the Speaker should stand.

Schultz moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 36, line 23, before "The" insert "(a)"

Page 36, line 24, after "to" insert ":(1)"

Page 36, line 28, after "companies" insert ":(2) expand the MinnesotaCare program to 275 percent of the federal poverty guidelines as provided in section 256L.021"

Page 37, after line 4, insert:

"(b) On March 1, 2017, the commissioner shall report to the MNsure board and the chairs and ranking minority members of the legislative committees with jurisdiction over health care policy and finance on the progress of receiving a federal waiver, including the results of actuarial analyses on the broader impact to the health insurance market required for waiver submission and recommendations on necessary statutory changes, including the expected fiscal impact to the state.

"(c) Implementation of the proposals contained in the waiver request under this section and section 256L.021 shall be contingent upon necessary federal approval, and subsequent statutory changes and state financial contributions."

Page 37, after line 5, insert:

"Sec. 14. **[256L.021] MINNESOTACARE EXPANSION WAIVER.**

(a) As part of the waiver under section 256L.02, subdivision 7, the commissioner shall seek authority to:

(1) expand MinnesotaCare to include persons with incomes up to 275 percent of federal poverty guidelines under section 1332 of the Affordable Care Act;

(2) modify MinnesotaCare premiums and cost-sharing to smooth affordability cliffs between insurance affordability programs; and

(3) receive for all MinnesotaCare enrollees, including, but not limited to, those with incomes at or below 275 percent of the federal poverty guidelines, the full amount of advanced premium tax credits, and cost-sharing reductions that these individuals would have otherwise received if they obtained qualified health plan coverage through MNsure.

(b) The commissioner shall apply for a federal waiver under section 1115 of the Social Security Act to receive a federal match for services provided to all MinnesotaCare enrollees, including but not limited to those with incomes greater than 133 percent but not exceeding 275 percent of the federal poverty guidelines.

(c) The commissioner shall notify the chairs and ranking minority members of the legislative committees with jurisdiction over health care finances when federal approval is obtained for this proposal.

(d) Upon federal approval, the commissioner is authorized to accept and expend federal funds that support the purpose of this section.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Thissen moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 38, delete section 16 and insert:

"Sec. 16. **REPEALER.**

(a) Minnesota Statutes 2014, sections 13.7191, subdivision 14a; 13D.08, subdivision 5a; 62A.011, subdivision 6; 62A.02, subdivision 8; 62K.01; 62K.02; 62K.03; 62K.04; 62K.05; 62K.06; 62K.07; 62K.08; 62K.09; 62K.10; 62K.11; 62K.12; 62K.13; 62K.14; 62K.15; 62V.01; 62V.02; 62V.03, subdivisions 1 and 3; 62V.04; 62V.05, subdivisions 1, 2, 3, 4, 5, 9, and 10; 62V.06; 62V.07; 62V.08; 62V.09; 62V.10; 62V.11, subdivisions 1, 2, and 4; 256L.01, subdivision 6; and 256L.02, subdivision 6, are repealed effective August 1, 2016.

(b) Minnesota Statutes 2015 Supplement, sections 62V.03, subdivision 2; 62V.05, subdivisions 6, 7, 8, and 11; and 62V.051, are repealed effective August 1, 2016.

(c) Minnesota Rules, parts 7700.0010; 7700.0020; 7700.0030; 7700.0040; 7700.0050; 7700.0060; 7700.0070; 7700.0080; 7700.0090; 7700.0100; 7700.0101; and 7700.0105, are repealed effective August 1, 2016.

(d) Laws 2013, chapter 9, sections 14; 15; 16; 17; and 18, are repealed effective August 1, 2016."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Thissen amendment and the roll was called. There were 0 yeas and 129 nays as follows:

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Kresha moved to amend H. F. No. 3467, the second engrossment, as amended, as follows:

Page 172, after line 17, insert:

"Sec. 42. Minnesota Statutes 2014, section 471.895, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Gift" has the meaning given it in section 10A.071, subdivision 1.

(c) "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make.

(d) "Local official" means:

(1) an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city; ~~and~~

(2) an elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer of any independent school district; and

(3) anyone serving as an elected board member pursuant to section 123A.21, subdivision 4."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Loonan moved to amend the Kresha amendment to H. F. No. 3467, the second engrossment, as amended, as follows:

Page 1, line 13, delete "and"

Page 1, line 15, strike the period and insert "; and"

Page 1, after line 15, insert:

"(4) an elected or appointed member of the board of a local or statewide organization that is an exclusive representative of a Minnesota public employee."

A roll call was requested and properly seconded.

The question was taken on the Loonan amendment to the Kresha amendment and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Kresha amendment, as amended, to H. F. No. 3467, the second engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 3467, A bill for an act relating to state government; modifying provisions related to continuing care, health care, MNsure, Health Department, chemical and mental health, children and families, health-related licensing, human services forecast adjustments, health and human services appropriations, state government appropriations, state government, and public safety; making technical changes; adjusting rates for nursing facilities in border cities; limiting appropriations and transfers to MNsure; amending provisions relating to abortion; creating licenses relating to orthotics and genetic counselors; modifying barber licenses; modifying fees; canceling part of the senate carryforward account to the general fund; requiring savings from reducing salaries in the executive branch, instituting a hiring freeze, and limiting nonessential travel and advertising; requiring receipts from examinations by the state auditor be credited to the general fund; transferring funds in the state auditor enterprise fund to the general fund; suspending the public subsidy program for state elections to the end of fiscal year 2017; requiring the legislative auditor to participate in preparing fiscal notes, revenue estimates, and local impact notes; requiring county payments and political subdivision payments for state auditor costs be deposited in the general fund; requiring a centralized tracking list of agency projects over \$100,000; limiting fee or fine increases; requiring disclosure to the legislative auditor on potential federal penalties for the purchase or sale of state bonds; requiring legislature be notified of certain costs in state construction projects; requiring approval for certain state building projects; requiring termination of state grant agreement if recipient is convicted of a criminal offense related to the grant agreement; prohibiting fees for general fund grant administration; requiring audit of delegated authority; adding a provision for targeted group business; limiting number of full-time employees; changing provisions in the Veterans Preference Act; changing a provision for the IRRRB; changing payments from the manufactured home relocation trust fund; requiring a public hearing if a proposed interim ordinance deals with housing; modifying health insurance provisions related to school districts and certain self-insurance pools; requiring reports; designating parking ramp financing; establishing Legislative Surrogacy Commission; requiring a study; increasing fine for certain traffic violations around school buses; enhancing penalties and establishing minimum fines for repeat violations of driving without a license; allowing alcohol use by sensory testing services; extending funding for avian influenza and agricultural emergency response; authorizing commissioner of corrections to negotiate for facility to house offenders; increasing maximum sentence for felony assault motivated by bias; prohibiting the use of unmanned vehicles near public safety helicopters; providing for a fund transfer from the correctional industries revolving fund to the general fund; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2014, sections 3.3005, subdivisions 3, 3b, 4, 5, 6, by adding subdivisions; 3.971, by adding a subdivision; 3.98; 3.987, subdivision 1; 6.56, subdivision 2; 6.581, subdivision 4; 16A.103, by adding a subdivision; 16A.1283; 16B.335, subdivision 1; 16C.03, subdivision 16; 16C.16, subdivision 5; 16E.0466; 16E.21, subdivision 2, by adding subdivisions; 62J.495, subdivision 4; 62J.496, subdivision 1; 62V.04, subdivisions 2, 3, 4; 62V.05, subdivision 2, by adding subdivisions; 62V.11, by adding a subdivision; 119B.13, subdivision 1; 144.05, by adding a subdivision; 144.293, subdivision 2; 144A.071, subdivisions 4c, 4d; 144A.073, subdivisions 13, 14, by adding a subdivision; 144A.471, subdivision 9; 144A.611, subdivisions 1, 2, by adding a subdivision; 144A.75, subdivisions 5, 6, 8, by adding a subdivision; 145.4716, subdivision 2, by adding a subdivision; 145.882, subdivisions 2, 3, 7; 145.925, subdivisions 1, 1a, by adding subdivisions; 149A.50, subdivision 2; 154.001, subdivision 2; 154.002; 154.01; 154.02; 154.04; 154.05; 154.065, subdivisions 2, 4; 154.07; 154.08; 154.09; 154.10, subdivision 2; 154.11, subdivision 1; 154.14; 154.15; 154.161, subdivision 7; 154.162; 154.19; 154.21; 154.24; 154.25; 157.15, subdivision 14; 169.444, subdivision 2; 171.24; 197.455, subdivision 1; 243.166, subdivision 1b; 245.99, subdivision 2; 254B.03, subdivision 4; 254B.04, subdivision 2a; 254B.06, subdivision 2, by adding a subdivision; 256.01, by adding a subdivision; 256B.042, by adding a subdivision; 256B.0621, subdivision 10; 256B.0625, by adding subdivisions; 256B.0644; 256B.0924, by adding a subdivision; 256B.15, subdivisions 1a, 2, by adding a subdivision; 256D.051, subdivision 6b; 256L.02, by adding a subdivision; 298.22, subdivision 1; 299A.41, subdivision 3; 327.14, subdivision 8; 327C.03, subdivision 6; 327C.095, subdivisions 12, 13; 353.01, subdivision 43; 462.355, subdivision 4; 471.6161, subdivision 8; 471.617, subdivision 2; 471.895, subdivision 1; 518.175, subdivision 5; 518A.34; 518A.36; 609.3241; 626.558, subdivisions 1, 2, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 6.481, subdivision 6; 16C.073, subdivision 2; 62V.03, subdivision 2; 144A.75, subdivision 13; 145.4131, subdivision 1; 149A.92, subdivision 1; 154.003; 154.11, subdivision 3; 154.161, subdivision 4; 197.46; 245.735, subdivisions 3, 4; 256B.059, subdivision 5; 256B.0625, subdivisions 17a, 18a, 20;

256B.431, subdivision 36; 256B.441, subdivisions 13, 53, 66; 256B.76, subdivisions 2, 4; 256B.766; 518A.26, subdivision 14; 518A.39, subdivision 2; 609.324, subdivision 1; Laws 2015, chapter 65, article 1, section 18; Laws 2015, chapter 71, article 1, section 125; article 14, sections 2, subdivision 5, as amended; 4, subdivisions 1, 3, 5, 10, 11; 9; Laws 2015, chapter 77, article 1, section 11, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 16C; 43A; 45; 62V; 144; 145; 148; 245A; 254B; 256B; 325E; 518A; 609; proposing coding for new law as Minnesota Statutes, chapters 147F; 153B; repealing Minnesota Statutes 2014, sections 3.886; 6.581, subdivision 1; 62V.01; 62V.02; 62V.03, subdivisions 1, 3; 62V.04; 62V.05, subdivisions 1, 2, 3, 4, 5, 9, 10; 62V.06; 62V.07; 62V.08; 62V.09; 62V.10; 62V.11, subdivisions 1, 2, 4; 144.058; 145.925, subdivision 2; 149A.92, subdivision 11; 154.03; 154.06; 154.11, subdivision 2; 154.12; 179A.50; 179A.51; 179A.52; 179A.53; Minnesota Statutes 2015 Supplement, sections 62V.03, subdivision 2; 62V.05, subdivisions 6, 7, 8, 11; 62V.051; Minnesota Rules, parts 7700.0010; 7700.0020; 7700.0030; 7700.0040; 7700.0050; 7700.0060; 7700.0070; 7700.0080; 7700.0090; 7700.0100; 7700.0101; 7700.0105.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 72 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Hackbarth	Lohmer	O'Driscoll	Scott
Anderson, C.	Dean, M.	Hancock	Loon	O'Neill	Smith
Anderson, M.	Dettmer	Heintzeman	Loonan	Peppin	Swedzinski
Anderson, P.	Drazkowski	Hertaus	Lucero	Petersburg	Theis
Anderson, S.	Erickson	Hoppe	Lueck	Peterson	Torkelson
Backer	Fabian	Howe	Mack	Pierson	Uglem
Baker	Fenton	Johnson, B.	McDonald	Pugh	Urdahl
Barrett	Franson	Kelly	McNamara	Quam	Vogel
Bennett	Garofalo	Kiel	Miller	Rarick	Whelan
Christensen	Green	Knoblach	Nash	Runbeck	Wills
Cornish	Gruenhagen	Koznick	Newberger	Sanders	Zerwas
Daniels	Gunther	Kresha	Nornes	Schomacker	Spk. Daudt

Those who voted in the negative were:

Allen	Ecklund	Hortman	Loeffler	Nelson	Selcer
Anzelc	Erhardt	Isaacson	Mahoney	Newton	Simonson
Applebaum	Fischer	Johnson, C.	Mariani	Norton	Sundin
Atkins	Flanagan	Johnson, S.	Marquart	Pelowski	Thissen
Bernardy	Freiberg	Kahn	Masin	Persell	Wagenius
Bly	Halverson	Laine	Metsa	Pinto	Yarusso
Carlson	Hansen	Lesch	Moran	Poppe	Youakim
Clark	Hausman	Liebling	Mullery	Rosenthal	
Davnie	Hilstrom	Lien	Murphy, E.	Schoen	
Dehn, R.	Hornstein	Lillie	Murphy, M.	Schultz	

The bill was passed, as amended, 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, May 2, 2016 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 2445, 2803, 3308 and 3482; and S. F. Nos. 1523, 2227 and 2539.

MOTIONS AND RESOLUTIONS

Hausman moved that the name of Hamilton be added as an author on H. F. No. 2784. The motion prevailed.

Quam moved that the name of Fenton be added as an author on H. F. No. 2982. The motion prevailed.

Kresha moved that his name be stricken as an author on H. F. No. 3396. The motion prevailed.

McDonald moved that the name of Pinto be added as an author on H. F. No. 3738. The motion prevailed.

Hansen moved that the name of Applebaum be added as an author on H. F. No. 3962. The motion prevailed.

**ANNOUNCEMENT FROM THE COMMITTEE ON
RULES AND LEGISLATIVE ADMINISTRATION**

Pursuant to rules 1.21 and 1.22, the Committee on Rules and Legislative Administration specified Thursday, April 28, 2016, as the date after which the 5:00 p.m. deadlines no longer apply to the designation of bills to be placed on the Calendar for the Day and to the announcement of the intention to request that bills be considered by the House on the Fiscal Calendar.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 4:00 p.m., Monday, May 2, 2016. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 4:00 p.m., Monday, May 2, 2016.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

