

STATE OF MINNESOTA

NINETIETH SESSION — 2018

SEVENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 22, 2018

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

Prayer was offered by the Reverend Hans Jorgensen, St. Timothy Lutheran Church, St. Paul, Minnesota.

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

The roll was called and the following members were present:

Albright	Dean, M.	Hausman	Lien	Nornes	Schultz
Allen	Dehn, R.	Heintzeman	Lillie	O'Driscoll	Scott
Anderson, P.	Dettmer	Hertaus	Loeffler	Olson	Slocum
Anderson, S.	Drazkowski	Hilstrom	Lohmer	Omar	Smith
Anselmo	Ecklund	Hoppe	Loon	O'Neill	Sundin
Applebaum	Erickson	Hornstein	Loonan	Pelowski	Swedzinski
Backer	Fabian	Hortman	Lucero	Peppin	Theis
Bahr, C.	Fenton	Howe	Lueck	Petersburg	Torkelson
Barr, R.	Fischer	Jessup	Mahoney	Peterson	Uglen
Becker-Finn	Flanagan	Johnson, B.	Mariani	Pierson	Urdahl
Bennett	Franke	Johnson, C.	Marquart	Pinto	Vogel
Bernardy	Franson	Jurgens	Masin	Poppe	Wagenius
Bliss	Freiberg	Kiel	Maye Quade	Poston	Ward
Bly	Garofalo	Knoblach	McDonald	Pryor	West
Carlson, A.	Green	Koegel	Metsa	Pugh	Whelan
Carlson, L.	Grossell	Koznick	Miller	Quam	Wills
Christensen	Gruenhagen	Kresha	Murphy, E.	Rarick	Youakim
Clark	Gunther	Kunesh-Podein	Murphy, M.	Rosenthal	Zerwas
Considine	Haley	Layman	Nash	Runbeck	Spk. Daudt
Daniels	Halverson	Lee	Nelson	Sandstede	
Davids	Hamilton	Lesch	Neu	Sauke	
Davnie	Hansen	Liebling	Newberger	Schomacker	

A quorum was present.

Johnson, S.; Moran; Munson and Thissen were excused.

Baker was excused until 3:45 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 STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 1122, A bill for an act relating to health occupations; establishing a registration system for speech-language pathology assistants; setting registration fees; amending Minnesota Statutes 2016, sections 148.512, subdivision 4, by adding subdivisions; 148.513, subdivision 2, by adding a subdivision; 148.519; 148.5191; 148.5194, subdivision 8, by adding a subdivision; 148.5195, subdivisions 2, 3, 4; 148.5196, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 148.512, subdivision 17a, is amended to read:

Subd. 17a. **Speech-language pathology assistant.** "Speech-language pathology assistant" means a person who ~~provides speech language pathology services under the supervision of a licensed speech language pathologist in accordance with section 148.5192 practices speech-language pathology assisting, meets the requirements under section 148.5185 or 148.5186, and is licensed by the commissioner.~~

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 2. Minnesota Statutes 2016, section 148.513, subdivision 1, is amended to read:

Subdivision 1. **Unlicensed practice prohibited.** A person must not engage in the practice of speech-language pathology ~~or, audiology, or speech-language pathology assisting~~ unless the person is licensed as a speech-language pathologist ~~or, an audiologist, or a speech-language pathology assistant~~ under sections 148.511 to 148.5198 ~~or is practicing as a speech language pathology assistant in accordance with section 148.5192. For purposes of this subdivision, a speech language pathology assistant's duties are limited to the duties described in accordance with section 148.5192, subdivision 2.~~

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 3. Minnesota Statutes 2016, section 148.513, subdivision 2, is amended to read:

Subd. 2. **Protected titles and restrictions on use; speech-language pathologists and audiologists.** ~~(a) Notwithstanding paragraph (b)~~ Except as provided in subdivision 2b, the use of the following terms or initials which represent the following terms, alone or in combination with any word or words, by any person to form an occupational title is prohibited unless that person is licensed as a speech-language pathologist or audiologist under sections 148.511 to 148.5198:

- (1) speech-language;
- (2) speech-language pathologist, S, SP, or SLP;
- (3) speech pathologist;
- (4) language pathologist;

- (5) audiologist, A, or AUD;
- (6) speech therapist;
- (7) speech clinician;
- (8) speech correctionist;
- (9) language therapist;
- (10) voice therapist;
- (11) voice pathologist;
- (12) logopedist;
- (13) communicologist;
- (14) aphasiologist;
- (15) phoniatriest;
- (16) audiometrist;
- (17) audioprosthologist;
- (18) hearing therapist;
- (19) hearing clinician; or
- (20) hearing aid audiologist.

Use of the term "Minnesota licensed" in conjunction with the titles protected under this ~~paragraph~~ subdivision by any person is prohibited unless that person is licensed as a speech-language pathologist or audiologist under sections 148.511 to 148.5198.

~~(b) A speech language pathology assistant practicing under section 148.5192 must not represent, indicate, or imply to the public that the assistant is a licensed speech language pathologist and shall only utilize one of the following titles: "speech language pathology assistant," "SLP assistant," or "SLP asst."~~

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 4. Minnesota Statutes 2016, section 148.513, is amended by adding a subdivision to read:

Subd. 2b. **Protected titles and restrictions on use; speech-language pathology assistants.** (a) Use of the following titles is prohibited, unless that person is licensed under section 148.5185 or 148.5186: "speech-language pathology assistant," "SLP assistant," or "SLP asst."

(b) A speech-language pathology assistant licensed under section 148.5185 or 148.5186 must not represent, indicate, or imply to the public that the assistant is a licensed speech-language pathologist and shall only utilize one of the following titles: "speech-language pathology assistant," "SLP assistant," or "SLP asst." A speech-language

pathology assistant licensed under section 148.5185 or 148.5186 may use the term "licensed" or "Minnesota licensed" in connection with a title listed in this paragraph. Use of the term "Minnesota licensed" in conjunction with any of the titles protected under paragraph (a) by any person is prohibited unless that person is licensed under section 148.5185 or 148.5186.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 5. Minnesota Statutes 2016, section 148.515, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** Except as provided in section 148.516 or 148.517, an applicant for licensure as a speech-language pathologist or audiologist must meet the requirements in this section.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 6. Minnesota Statutes 2016, section 148.516, is amended to read:

148.516 LICENSURE BY EQUIVALENCY.

An applicant who applies for licensure by equivalency as a speech-language pathologist or audiologist must show evidence of possessing a current certificate of clinical competence issued by the American Speech-Language-Hearing Association or board certification by the American Board of Audiology and must meet the requirements of section 148.514.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 7. **[148.5185] RESTRICTED LICENSURE; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.**

Subdivision 1. **Qualifications for a restricted license.** To be eligible for restricted licensure as a speech-language pathology assistant, an applicant must satisfy the requirements in subdivision 2, 3, or 4.

Subd. 2. **Person practicing as a speech-language pathology assistant before January 1, 2019.** (a) A person who is practicing as a speech-language pathology assistant before January 1, 2019, and who does not meet the qualifications for a license under section 148.5186 may apply for a restricted speech-language pathology assistant license from the commissioner. An applicant under this paragraph must submit to the commissioner:

(1) proof of current employment as a speech-language pathology assistant; and

(2) a signed affidavit affirming supervision, from the licensed speech-language pathologist currently supervising the applicant.

(b) In order to be licensed as a speech-language pathology assistant under section 148.5186, a licensee with a restricted license under this subdivision must obtain an associate degree from a speech-language pathology assistant program that is accredited by the Higher Learning Commission of the North Central Association of Colleges or its equivalent, as approved by the commissioner, and that includes (1) coursework on an introduction to communication disorders, phonetics, language development, articulation disorders, language disorders, anatomy of speech/language hearing, stuttering, adult communication disorders, and clinical documentations and materials management; and (2) at least 100 hours of supervised field work experience in speech-language pathology assisting. Upon completion of the requirements in this paragraph prior to January 1, 2025, a licensee with a restricted license under this subdivision is eligible to apply for licensure under section 148.5186.

Subd. 3. Person with a bachelor's degree in communication sciences or disorders and practicing as a speech-language pathology assistant before January 1, 2019. (a) A person with a bachelor's degree in the discipline of communication sciences or disorders and who is practicing as a speech-language pathology assistant before January 1, 2019, but who does not meet the qualifications for a license under section 148.5186, may apply for a restricted speech-language pathology assistant license from the commissioner. An applicant under this paragraph must submit to the commissioner:

(1) a transcript from an educational institution documenting satisfactory completion of a bachelor's degree in the discipline of communication sciences or disorders;

(2) proof of current employment as a speech-language pathology assistant; and

(3) a signed affidavit affirming supervision, from the licensed speech-language pathologist currently supervising the applicant.

(b) In order to be licensed as a speech-language pathology assistant under section 148.5186, a licensee with a restricted license under this subdivision must complete (1) coursework from a speech-language pathology assistant program in articulation disorders, language disorders, adult communication disorders, and stuttering; and (2) at least 100 hours of supervised field work experience in speech-language pathology assisting. Upon completion of the requirements in this paragraph prior to January 1, 2025, a licensee with a restricted license under this subdivision is eligible to apply for licensure under section 148.5186.

Subd. 4. Person with an associate degree from a program that does not meet requirements in section 148.5186. (a) A person with an associate degree from a speech-language pathology assistant program that does not meet the requirements in section 148.5186, subdivision 1, clause (1), may apply for a restricted speech-language pathology assistant license from the commissioner. An applicant under this paragraph must submit to the commissioner a transcript from an educational institution documenting satisfactory completion of an associate degree from a speech-language pathology assistant program. If the commissioner determines that the applicant's speech-language pathology assistant program does not include coursework or supervised field work experience that is equivalent to a program under section 148.5186, subdivision 1, clause (1), the commissioner may issue a restricted license to the applicant.

(b) In order to be licensed as a speech-language pathology assistant under section 148.5186, a licensee with a restricted license under this subdivision must complete any missing coursework or supervised field work experience, as determined by the commissioner, in a speech-language pathology assisting program. Upon completion of the requirements in this paragraph prior to January 1, 2025, a licensee with a restricted license under this subdivision is eligible to apply for licensure under section 148.5186.

Subd. 5. Additional requirements; restricted license. (a) A restricted license issued under subdivision 2, 3, or 4 may be renewed biennially until January 1, 2025.

(b) A licensee with a restricted license under subdivision 2 or 3 may only practice speech-language pathology assisting for the employer with whom the licensee was employed when the licensee applied for licensure.

Subd. 6. Continuing education. In order to renew a restricted license, a licensee must comply with the continuing education requirements in section 148.5193, subdivision 1a.

Subd. 7. Scope of practice. Scope of practice for a speech-language pathology assistant licensed under this section is governed by section 148.5192, subdivision 2.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 8. **[148.5186] LICENSURE; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.**

Subdivision 1. Requirements for licensure. To be eligible for licensure as a speech-language pathology assistant, an applicant must submit to the commissioner a transcript from an educational institution documenting satisfactory completion of either:

(1) an associate degree from a speech-language pathology assistant program that is accredited by the Higher Learning Commission of the North Central Association of Colleges or its equivalent as approved by the commissioner, which includes at least 100 hours of supervised field work experience in speech-language pathology assisting; or

(2) a bachelor's degree in the discipline of communication sciences or disorders and a speech-language pathology assistant certificate program that includes (i) coursework in an introduction to speech-language pathology assisting, stuttering, articulation disorders, and language disorders; and (ii) at least 100 hours of supervised field work experience in speech-language pathology assisting.

Subd. 2. Licensure by equivalency. An applicant who applies for licensure by equivalency as a speech-language pathology assistant must provide evidence to the commissioner of satisfying the requirements in subdivision 1.

Subd. 3. Scope of practice. Scope of practice for a speech-language pathology assistant licensed under this section is governed by section 148.5192, subdivision 2.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 9. Minnesota Statutes 2017 Supplement, section 148.519, subdivision 1, is amended to read:

Subdivision 1. **Applications for licensure; speech-language pathologists and audiologists.** (a) An applicant for licensure as a speech-language pathologist or audiologist must:

(1) submit a completed application for licensure on forms provided by the commissioner. The application must include the applicant's name, certification number under chapter 153A, if applicable, business address and telephone number, or home address and telephone number if the applicant practices speech-language pathology or audiology out of the home, and a description of the applicant's education, training, and experience, including previous work history for the five years immediately preceding the date of application. The commissioner may ask the applicant to provide additional information necessary to clarify information submitted in the application; and

(2) submit documentation of the certificate of clinical competence issued by the American Speech-Language-Hearing Association, board certification by the American Board of Audiology, or satisfy the following requirements:

(i) submit a transcript showing the completion of a master's or doctoral degree or its equivalent meeting the requirements of section 148.515, subdivision 2;

(ii) submit documentation of the required hours of supervised clinical training;

(iii) submit documentation of the postgraduate clinical or doctoral clinical experience meeting the requirements of section 148.515, subdivision 4; and

(iv) submit documentation of receiving a qualifying score on an examination meeting the requirements of section 148.515, subdivision 6.

(b) In addition, an applicant must:

(1) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(2) submit with the application all fees required by section 148.5194;

(3) sign a waiver authorizing the commissioner to obtain access to the applicant's records in this or any other state in which the applicant has engaged in the practice of speech-language pathology or audiology; and

(4) consent to a fingerprint-based criminal history background check as required under section 144.0572, pay all required fees, and cooperate with all requests for information. An applicant must complete a new criminal history background check if more than one year has elapsed since the applicant last applied for a license.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 10. Minnesota Statutes 2016, section 148.519, is amended by adding a subdivision to read:

Subd. 1a. **Applications for licensure; speech-language pathology assistants.** An applicant for licensure as a speech-language pathology assistant must submit to the commissioner:

(1) a completed application on forms provided by the commissioner. The application must include the applicant's name, business address and telephone number, home address and telephone number, and a description of the applicant's education, training, and experience, including previous work history for the five years immediately preceding the application date. The commissioner may ask the applicant to provide additional information needed to clarify information submitted in the application;

(2) documentation that the applicant satisfied one of the qualifications listed in section 148.5185 or 148.5186;

(3) a signed statement that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(4) all fees required under section 148.5194; and

(5) a signed waiver authorizing the commissioner to obtain access to the applicant's records in this or any other state in which the applicant has worked as a speech-language pathology assistant.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 11. Minnesota Statutes 2016, section 148.5192, subdivision 1, is amended to read:

Subdivision 1. **Delegation requirements.** A licensed speech-language pathologist may delegate duties to a speech-language pathology assistant in accordance with this section. Duties may only be delegated to an individual who ~~has documented with a transcript from an educational institution satisfactory completion of either:~~

~~(1) an associate degree from a speech language pathology assistant program that is accredited by the Higher Learning Commission of the North Central Association of Colleges or its equivalent as approved by the commissioner; or~~

~~(2) a bachelor's degree in the discipline of communication sciences or disorders with additional transcript credit in the area of instruction in assistant level service delivery practices and completion of at least 100 hours of supervised field work experience as a speech language pathology assistant student is licensed under section 148.5185 or 148.5186.~~

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 12. Minnesota Statutes 2017 Supplement, section 148.5193, subdivision 1, is amended to read:

Subdivision 1. **Number of contact hours required.** (a) An applicant for licensure renewal as a speech-language pathologist or audiologist must meet the requirements for continuing education stipulated by the American Speech-Language-Hearing Association or the American Board of Audiology, or satisfy the requirements described in paragraphs (b) to (e).

(b) Within one month following expiration of a license, an applicant for licensure renewal as either a speech-language pathologist or an audiologist must provide evidence to the commissioner of a minimum of 30 contact hours of continuing education obtained within the two years immediately preceding licensure expiration. A minimum of 20 contact hours of continuing education must be directly related to the licensee's area of licensure. Ten contact hours of continuing education may be in areas generally related to the licensee's area of licensure. Licensees who are issued licenses for a period of less than two years shall prorate the number of contact hours required for licensure renewal based on the number of months licensed during the biennial licensure period. Licensees shall receive contact hours for continuing education activities only for the biennial licensure period in which the continuing education activity was performed.

(c) An applicant for licensure renewal as both a speech-language pathologist and an audiologist must attest to and document completion of a minimum of 36 contact hours of continuing education offered by a continuing education sponsor within the two years immediately preceding licensure renewal. A minimum of 15 contact hours must be received in the area of speech-language pathology and a minimum of 15 contact hours must be received in the area of audiology. Six contact hours of continuing education may be in areas generally related to the licensee's areas of licensure. Licensees who are issued licenses for a period of less than two years shall prorate the number of contact hours required for licensure renewal based on the number of months licensed during the biennial licensure period. Licensees shall receive contact hours for continuing education activities only for the biennial licensure period in which the continuing education activity was performed.

(d) If the licensee is licensed by the Professional Educator Licensing and Standards Board:

(1) activities that are approved in the categories of Minnesota Rules, part 8710.7200, subpart 3, items A and B, and that relate to speech-language pathology, shall be considered:

(i) offered by a sponsor of continuing education; and

(ii) directly related to speech-language pathology;

(2) activities that are approved in the categories of Minnesota Rules, part 8710.7200, subpart 3, shall be considered:

(i) offered by a sponsor of continuing education; and

(ii) generally related to speech-language pathology; and

(3) one clock hour as defined in Minnesota Rules, part 8710.7200, subpart 1, is equivalent to 1.0 contact hours of continuing education.

(e) Contact hours may not be accumulated in advance and transferred to a future continuing education period.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 13. Minnesota Statutes 2016, section 148.5193, is amended by adding a subdivision to read:

Subd. 1a. Continuing education; speech-language pathology assistants. An applicant for licensure renewal as a speech-language pathology assistant must meet the requirements for continuing education established by the commissioner.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 14. Minnesota Statutes 2016, section 148.5194, is amended by adding a subdivision to read:

Subd. 3b. Speech-language pathology assistant biennial licensure fee. The fee for initial speech-language pathology assistant licensure and licensure renewal under section 148.5185 or 148.5186 is \$.....

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 15. Minnesota Statutes 2016, section 148.5194, subdivision 8, is amended to read:

Subd. 8. Penalty fees. (a) The penalty fee for practicing speech-language pathology or audiology or using protected titles without a current license after the credential has expired and before it is renewed is the amount of the license renewal fee for any part of the first month, plus the license renewal fee for any part of any subsequent month up to 36 months. The penalty fee for a speech-language pathology assistant who practices speech-language pathology assisting or uses protected titles without a current license after a license has expired and before it is renewed is the amount of the license renewal fee for any part of the first month, plus the license renewal fee for any part of any subsequent month up to 36 months.

(b) The penalty fee for applicants who engage in the unauthorized practice of speech-language pathology or audiology or using protected titles before being issued a license is the amount of the license application fee for any part of the first month, plus the license application fee for any part of any subsequent month up to 36 months. The penalty fee for a speech-language pathology assistant who engages in the unauthorized practice of speech-language pathology assisting or uses protected titles without being issued a license is the amount of the license application fee for any part of the first month, plus the license application fee for any part of any subsequent month up to 36 months. This paragraph does not apply to applicants not qualifying for a license who engage in the unauthorized practice of speech language pathology or audiology.

(c) The penalty fee for practicing speech-language pathology or audiology and failing to submit a continuing education report by the due date with the correct number or type of hours in the correct time period is \$100 plus \$20 for each missing clock hour. The penalty fee for a licensed speech-language pathology assistant who fails to submit a continuing education report by the due date with the correct number or type of hours in the correct time period is \$100 plus \$20 for each missing clock hour. "Missing" means not obtained between the effective and expiration dates of the certificate, the one-month period following the certificate expiration date, or the 30 days following notice of a penalty fee for failing to report all continuing education hours. The licensee must obtain the missing number of continuing education hours by the next reporting due date.

(d) Civil penalties and discipline incurred by licensees prior to August 1, 2005, for conduct described in paragraph (a), (b), or (c) shall be recorded as nondisciplinary penalty fees. For conduct described in paragraph (a) or (b) occurring after August 1, 2005, and exceeding six months, payment of a penalty fee does not preclude any disciplinary action reasonably justified by the individual case.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 16. Minnesota Statutes 2016, section 148.5195, subdivision 3, is amended to read:

Subd. 3. **Grounds for disciplinary action by commissioner.** The commissioner may take any of the disciplinary actions listed in subdivision 4 on proof that the individual has:

- (1) intentionally submitted false or misleading information to the commissioner or the advisory council;
- (2) failed, within 30 days, to provide information in response to a written request by the commissioner or advisory council;
- (3) performed services of a speech-language pathologist ~~or~~ audiologist, or speech-language pathology assistant in an incompetent or negligent manner;
- (4) violated sections 148.511 to 148.5198;
- (5) failed to perform services with reasonable judgment, skill, or safety due to the use of alcohol or drugs, or other physical or mental impairment;
- (6) violated any state or federal law, rule, or regulation, and the violation is a felony or misdemeanor, an essential element of which is dishonesty, or which relates directly or indirectly to the practice of speech-language pathology ~~or~~ audiology, or speech-language pathology assisting. Conviction for violating any state or federal law which relates to speech-language pathology ~~or~~ audiology, or speech-language pathology assisting is necessarily considered to constitute a violation, except as provided in chapter 364;
- (7) aided or abetted another person in violating any provision of sections 148.511 to 148.5198;
- (8) been or is being disciplined by another jurisdiction, if any of the grounds for the discipline is the same or substantially equivalent to those under sections 148.511 to 148.5198;
- (9) not cooperated with the commissioner or advisory council in an investigation conducted according to subdivision 1;
- (10) advertised in a manner that is false or misleading;
- (11) engaged in conduct likely to deceive, defraud, or harm the public; or demonstrated a willful or careless disregard for the health, welfare, or safety of a client;
- (12) failed to disclose to the consumer any fee splitting or any promise to pay a portion of a fee to any other professional other than a fee for services rendered by the other professional to the client;
- (13) engaged in abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws, Food and Drug Administration regulations, or state medical assistance laws;

(14) obtained money, property, or services from a consumer through the use of undue influence, high pressure sales tactics, harassment, duress, deception, or fraud;

(15) performed services for a client who had no possibility of benefiting from the services;

(16) failed to refer a client for medical evaluation or to other health care professionals when appropriate or when a client indicated symptoms associated with diseases that could be medically or surgically treated;

(17) had the certification required by chapter 153A denied, suspended, or revoked according to chapter 153A;

(18) used the term doctor of audiology, doctor of speech-language pathology, AuD, or SLPD without having obtained the degree from an institution accredited by the North Central Association of Colleges and Secondary Schools, the Council on Academic Accreditation in Audiology and Speech-Language Pathology, the United States Department of Education, or an equivalent;

(19) failed to comply with the requirements of section 148.5192 regarding supervision of speech-language pathology assistants; or

(20) if the individual is an audiologist or certified hearing instrument dispenser:

(i) prescribed or otherwise recommended to a consumer or potential consumer the use of a hearing instrument, unless the prescription from a physician or recommendation from an audiologist or certified dispenser is in writing, is based on an audiogram that is delivered to the consumer or potential consumer when the prescription or recommendation is made, and bears the following information in all capital letters of 12-point or larger boldface type: "THIS PRESCRIPTION OR RECOMMENDATION MAY BE FILLED BY, AND HEARING INSTRUMENTS MAY BE PURCHASED FROM, THE LICENSED AUDIOLOGIST OR CERTIFIED DISPENSER OF YOUR CHOICE";

(ii) failed to give a copy of the audiogram, upon which the prescription or recommendation is based, to the consumer when the consumer requests a copy;

(iii) failed to provide the consumer rights brochure required by section 148.5197, subdivision 3;

(iv) failed to comply with restrictions on sales of hearing instruments in sections 148.5197, subdivision 3, and 148.5198;

(v) failed to return a consumer's hearing instrument used as a trade-in or for a discount in the price of a new hearing instrument when requested by the consumer upon cancellation of the purchase agreement;

(vi) failed to follow Food and Drug Administration or Federal Trade Commission regulations relating to dispensing hearing instruments;

(vii) failed to dispense a hearing instrument in a competent manner or without appropriate training;

(viii) delegated hearing instrument dispensing authority to a person not authorized to dispense a hearing instrument under this chapter or chapter 153A;

(ix) failed to comply with the requirements of an employer or supervisor of a hearing instrument dispenser trainee;

(x) violated a state or federal court order or judgment, including a conciliation court judgment, relating to the activities of the individual's hearing instrument dispensing; or

(xi) failed to include on the audiogram the practitioner's printed name, credential type, credential number, signature, and date.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 17. Minnesota Statutes 2017 Supplement, section 148.5196, subdivision 1, is amended to read:

Subdivision 1. **Membership.** The commissioner shall appoint ~~42~~ 13 persons to a Speech-Language Pathologist and Audiologist Advisory Council. The ~~42~~ 13 persons must include:

(1) three public members, as defined in section 214.02. Two of the public members shall be either persons receiving services of a speech-language pathologist or audiologist, or family members of or caregivers to such persons, and at least one of the public members shall be either a hearing instrument user or an advocate of one;

(2) three speech-language pathologists licensed under sections 148.511 to 148.5198, one of whom is currently and has been, for the five years immediately preceding the appointment, engaged in the practice of speech-language pathology in Minnesota and each of whom is employed in a different employment setting including, but not limited to, private practice, hospitals, rehabilitation settings, educational settings, and government agencies;

(3) one speech-language pathologist licensed under sections 148.511 to 148.5198, who is currently and has been, for the five years immediately preceding the appointment, employed by a Minnesota public school district or a Minnesota public school district consortium that is authorized by Minnesota Statutes and who is licensed in speech-language pathology by the Professional Educator Licensing and Standards Board;

(4) three audiologists licensed under sections 148.511 to 148.5198, two of whom are currently and have been, for the five years immediately preceding the appointment, engaged in the practice of audiology and the dispensing of hearing instruments in Minnesota and each of whom is employed in a different employment setting including, but not limited to, private practice, hospitals, rehabilitation settings, educational settings, industry, and government agencies;

(5) one nonaudiologist hearing instrument dispenser recommended by a professional association representing hearing instrument dispensers; ~~and~~

(6) one physician licensed under chapter 147 and certified by the American Board of Otolaryngology, Head and Neck Surgery; and

(7) one speech-language pathology assistant licensed under section 148.5186.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 18. Minnesota Statutes 2016, section 148.5196, subdivision 3, is amended to read:

Subd. 3. **Duties.** The advisory council shall:

(1) advise the commissioner regarding speech-language pathologist ~~and~~, audiologist, and speech-language pathology assistant licensure standards;

(2) advise the commissioner regarding the delegation of duties to and the training required for speech-language pathology assistants;

(3) advise the commissioner on enforcement of sections 148.511 to 148.5198;

(4) provide for distribution of information regarding speech-language pathologist ~~and~~ audiologist, and speech-language pathology assistant licensure standards;

(5) review applications and make recommendations to the commissioner on granting or denying licensure or licensure renewal;

(6) review reports of investigations relating to individuals and make recommendations to the commissioner as to whether licensure should be denied or disciplinary action taken against the individual;

(7) advise the commissioner regarding approval of continuing education activities provided by sponsors using the criteria in section 148.5193, subdivision 2; and

(8) perform other duties authorized for advisory councils under chapter 214, or as directed by the commissioner.

EFFECTIVE DATE. This section is effective January 1, 2019."

Amend the title as follows:

Page 1, lines 2 and 3, delete "registration" and insert "licensure"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 2475, A bill for an act relating to local government; permitting appointment to the Central Iron Range Sanitary Sewer Board of members of the governing bodies of participating municipalities; amending Laws 2009, chapter 122, section 3, subdivisions 1, 2.

Reported the same back with the following amendments:

Page 2, line 9, strike the old language and delete the new language and insert "member is the commissioner of Iron Range Resources and Rehabilitation, or the commissioner's designee"

Page 2, line 11, delete "member"

Page 2, delete line 12 and insert "commissioner of Iron Range Resources and Rehabilitation or the commissioner's designee;"

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

The report was adopted.

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

H. F. No. 2753, A bill for an act relating to health care; authorizing the Board of Medical Practice to issue a limited license to practice medicine in rural or underserved communities for international medical graduates; proposing coding for new law in Minnesota Statutes, chapter 147.

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

The report was adopted.

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

H. F. No. 2780, A bill for an act relating to human services; modifying various background study provisions; amending Minnesota Statutes 2016, sections 245C.03, by adding a subdivision; 245C.05, subdivision 2c; 245C.051; Minnesota Statutes 2017 Supplement, section 245C.05, subdivision 5.

Reported the same back with the following amendments:

Page 5, line 10, after the period, insert "The commissioner shall notify the superintendent of the Bureau of Criminal Apprehension that the commissioner has verified the information in paragraph (a) and destroyed the information used to complete the subject's background study. The superintendent of the Bureau of Criminal Apprehension shall then request that the Federal Bureau of Investigation not retain the fingerprints used to complete a national criminal history check on a background study subject who was a child care staff person, as defined in section 245C.02, subdivision 6a."

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 2795, A bill for an act relating to education; codifying teacher code of ethics; requiring background checks; expanding mandatory reporting; expanding grounds for teacher discharge; expanding criminal sexual conduct offenses for persons in current or recent positions of authority over juveniles; amending Minnesota Statutes 2016, sections 171.02, subdivision 2a; 299C.17; 609.095; 626.556, subdivision 10; 631.40, subdivision 1a; Minnesota Statutes 2017 Supplement, sections 122A.09, subdivision 2; 122A.18, subdivision 8; 122A.187, by adding a subdivision; 122A.20, subdivisions 1, 2; 122A.40, subdivision 13; 122A.41, subdivision 6; 123B.03, subdivisions 1, 2; 171.02, subdivision 2b; 171.3215, subdivisions 2, 3; 626.556, subdivisions 3, 10e; proposing coding for new law in Minnesota Statutes, chapters 122A; 299C; repealing Minnesota Statutes 2017 Supplement, section 122A.09, subdivision 1; Minnesota Rules, part 8710.2100, subparts 1, 2.

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

The report was adopted.

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

H. F. No. 2892, A bill for an act relating to capital investment; appropriating money for a regional public television station in Austin; authorizing the sale and issuance of state bonds.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Capital Investment without further recommendation.

The report was adopted.

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

H. F. No. 2934, A bill for an act relating to public safety; requiring courts to transfer records of stays of adjudication to the Bureau of Criminal Apprehension; requiring the Bureau of Criminal Apprehension to share stay of adjudication data with parties requesting background checks; prohibiting offenders who receive stays of adjudication for disqualifying offenses from serving as school bus drivers; amending Minnesota Statutes 2016, sections 299C.17; 609.095; 631.40, subdivision 1a; Minnesota Statutes 2017 Supplement, section 171.3215, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 299C.

Reported the same back with the following amendments:

Page 3, line 13, before "to" insert "for an offense that, if convicted of, would require predatory offender registration under section 243.166,"

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

The report was adopted.

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

H. F. No. 2940, A bill for an act relating to environment; prohibiting Pollution Control Agency from raising certain fees; requiring report on expenditures of fee proceeds; amending Minnesota Statutes 2016, sections 115.03, subdivision 1; 115.77, subdivision 1; 115.84, subdivision 3; Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 115.03, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The agency is hereby given and charged with the following powers and duties:

(a) to administer and enforce all laws relating to the pollution of any of the waters of the state;

(b) to investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

(c) to establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;

(d) to encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;

(e) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, rules, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities:

(1) requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;

(2) prohibiting or directing the abatement of any discharge of sewage, industrial waste, or other wastes, into any waters of the state or the deposit thereof or the discharge into any municipal disposal system where the same is likely to get into any waters of the state in violation of this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying the schedule of compliance within which such prohibition or abatement must be accomplished;

(3) prohibiting the storage of any liquid or solid substance or other pollutant in a manner which does not reasonably assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state;

(4) requiring the construction, installation, maintenance, and operation by any person of any disposal system or any part thereof, or other equipment and facilities, or the reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, or the adoption of other remedial measures to prevent, control or abate any discharge or deposit of sewage, industrial waste or other wastes by any person;

(5) establishing, and from time to time revising, standards of performance for new sources taking into consideration, among other things, classes, types, sizes, and categories of sources, processes, pollution control technology, cost of achieving such effluent reduction, and any nonwater quality environmental impact and energy requirements. Said standards of performance for new sources shall encompass those standards for the control of the discharge of pollutants which reflect the greatest degree of effluent reduction which the agency determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants. New sources shall encompass buildings, structures, facilities, or installations from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication by the agency of proposed rules prescribing a standard of performance which will be applicable to such source. Notwithstanding any other provision of the law of this state, any point source the construction of which is commenced after May 20, 1973, and which is so constructed as to meet all applicable standards of performance for new sources shall, consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution Control Act, not be subject to any more stringent standard of performance for new sources during a ten-year period beginning on the date of completion of such construction or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first. Construction shall encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(6) establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system;

(7) requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency shall prescribe, and providing such other information as the agency may reasonably require;

(8) notwithstanding any other provision of this chapter, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision 13, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency shall hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation shall not become effective and shall be adjusted as it applies to such person;

(9) modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants; and

(10) requiring that applicants for wastewater discharge permits evaluate in their applications the potential reuses of the discharged wastewater;

(f) to require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;

(g) to prescribe and alter rules, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state;

(h) to conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable for the discharge of its duties under this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings;

(i) for the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste treatment management plans, and to provide for the implementation of any such plans by means of, including, but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

(j) to train water pollution control personnel, and charge such fees therefor as are necessary to cover the agency's costs. The fees under this paragraph are subject to legislative approval under section 16A.1283. All such fees received shall be paid into the state treasury and credited to the Pollution Control Agency training account;

(k) to impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder;

(l) to set a period not to exceed five years for the duration of any national pollutant discharge elimination system permit or not to exceed ten years for any permit issued as a state disposal system permit only;

(m) to require each governmental subdivision identified as a permittee for a wastewater treatment works to evaluate in every odd-numbered year the condition of its existing system and identify future capital improvements that will be needed to attain or maintain compliance with a national pollutant discharge elimination system or state disposal system permit; and

(n) to train subsurface sewage treatment system personnel, including persons who design, construct, install, inspect, service, and operate subsurface sewage treatment systems, and charge fees as necessary to pay the agency's costs. The fees under this paragraph are subject to legislative approval under section 16A.1283. All fees received must be paid into the state treasury and credited to the agency's training account. Money in the account is appropriated to the agency to pay expenses related to training.

The information required in clause (m) must be submitted in every odd-numbered year to the commissioner on a form provided by the commissioner. The commissioner shall provide technical assistance if requested by the governmental subdivision.

The powers and duties given the agency in this subdivision also apply to permits issued under chapter 114C.

Sec. 2. Minnesota Statutes 2016, section 115.77, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The agency shall collect fees in amounts necessary, but no greater than the amounts necessary, to cover the reasonable costs of reviewing applications and issuing certifications. The fees under this subdivision are subject to legislative approval under section 16A.1283.

Sec. 3. Minnesota Statutes 2016, section 115.84, subdivision 2, is amended to read:

Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories according to this section. ~~Notwithstanding section 16A.1283, the agency may adopt rules establishing fees.~~

Sec. 4. Minnesota Statutes 2016, section 115.84, subdivision 3, is amended to read:

Subd. 3. **Fees.** (a) Until the agency adopts a rule establishing fees for certification, the agency shall collect fees from laboratories registering with the agency, but not accredited by the commissioner of health under sections 144.97 to 144.99, in amounts necessary to cover the reasonable costs of the certification program, including reviewing applications, issuing certifications, and conducting audits and compliance assistance. The fees under this paragraph are subject to legislative approval under section 16A.1283.

(b) Fees under this section must be based on the number, type, and complexity of analytical methods that laboratories are certified to perform.

(c) Revenue from fees charged by the agency for certification shall be credited to the environmental fund.

Sec. 5. Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of developing, reviewing, and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees shall not include the costs of litigation. The fee schedule must reflect reasonable and routine direct and indirect costs associated with permitting, implementation, and enforcement. The agency may impose an additional enforcement fee to be collected for a period of up to two years to cover the reasonable costs of implementing and enforcing the conditions of a permit under the rules of the agency. Water fees under this paragraph are subject to legislative approval under section 16A.1283. Any money collected under this paragraph shall be deposited in the environmental fund.

(b) Notwithstanding paragraph (a), the agency shall collect an annual fee from the owner or operator of all stationary sources, emission facilities, emissions units, air contaminant treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage facilities subject to a notification, permit, or license requirement under this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules adopted thereunder. The annual fee shall be used to pay for all direct and indirect reasonable costs, including legal costs, required to develop and administer the notification, permit, or license program requirements of this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing and acting upon an application for a permit; implementing and enforcing statutes, rules, and the terms and conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally applicable regulations; responding to federal guidance; modeling, analyses, and demonstrations; preparing inventories and tracking emissions; and providing information to the public about these activities.

(c) The agency shall set fees that:

(1) will result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national primary ambient air quality standard has been promulgated;

(2) may result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is regulated under this chapter or air quality rules adopted under this chapter; and

(3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount needed to match grant funds received by the state under United States Code, title 42, section 7405 (section 105 of the federal Clean Air Act).

The agency must not include in the calculation of the aggregate amount to be collected under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant from a source. The increase in air permit fees to match federal grant funds shall be a surcharge on existing fees. The commissioner may not collect the surcharge after the grant funds become unavailable. In addition, the commissioner shall use nonfee funds to the extent practical to match the grant funds so that the fee surcharge is minimized.

(d) To cover the reasonable costs described in paragraph (b), the agency shall provide in the rules promulgated under paragraph (c) for an increase in the fee collected in each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of the year the fee is collected

exceeds the Consumer Price Index for the calendar year 1989. For purposes of this paragraph the Consumer Price Index for any calendar year is the average of the Consumer Price Index for all-urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year. The revision of the Consumer Price Index that is most consistent with the Consumer Price Index for calendar year 1989 shall be used.

(e) Any money collected under paragraphs (b) to (d) must be deposited in the environmental fund and must be used solely for the activities listed in paragraph (b).

(f) Permit applicants who wish to construct, reconstruct, or modify a project may offer to reimburse the agency for the costs of staff time or consultant services needed to expedite the preapplication process and permit development process through the final decision on the permit, including the analysis of environmental review documents. The reimbursement shall be in addition to permit application fees imposed by law. When the agency determines that it needs additional resources to develop the permit application in an expedited manner, and that expediting the development is consistent with permitting program priorities, the agency may accept the reimbursement. The commissioner must give the applicant an estimate of costs to be incurred by the commissioner. The estimate must include a brief description of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for each task. The applicant and the commissioner must enter into a written agreement detailing the estimated costs for the expedited permit decision-making process to be incurred by the agency. The agreement must also identify staff anticipated to be assigned to the project. The commissioner must not issue a permit until the applicant has paid all fees in full. The commissioner must refund any unobligated balance of fees paid. Reimbursements accepted by the agency are appropriated to the agency for the purpose of developing the permit or analyzing environmental review documents. Reimbursement by a permit applicant shall precede and not be contingent upon issuance of a permit; shall not affect the agency's decision on whether to issue or deny a permit, what conditions are included in a permit, or the application of state and federal statutes and rules governing permit determinations; and shall not affect final decisions regarding environmental review.

(g) The fees under this subdivision are exempt from section 16A.1285."

Delete the title and insert:

"A bill for an act relating to environment; requiring legislative approval for certain fees; amending Minnesota Statutes 2016, sections 115.03, subdivision 1; 115.77, subdivision 1; 115.84, subdivisions 2, 3; Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d."

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

The report was adopted.

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

H. F. No. 2987, A bill for an act relating to health care; creating a drug repository program; proposing coding for new law in Minnesota Statutes, chapter 151; repealing Minnesota Statutes 2016, section 151.55.

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

The report was adopted.

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

H. F. No. 3018, A bill for an act relating to state government; establishing the Task Force on Charitable Gambling Taxation; appropriating money.

Reported the same back with the following amendments:

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

Page 1, line 15, after "affairs" insert ", and the commissioner of revenue or the commissioner's designee"

Page 1, lines 16 and 18, delete "two" and insert "three"

Page 2, line 8, delete "not"

Page 2, line 17, delete "February 15, 2019" and insert "December 15, 2018"

Page 2, line 24, delete "March 1," and insert "January 1,"

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

The report was adopted.

Runbeck from the Committee on Transportation and Regional Governance Policy to which was referred:

H. F. No. 3032, A bill for an act relating to consumer protection; regulating transportation network companies; amending Minnesota Statutes 2016, sections 13.712, by adding a subdivision; 221.012, subdivision 38; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 13.712, is amended by adding a subdivision to read:

Subd. 6. **Transportation network company.** Data obtained by the commissioner from a transportation network company is governed by section 221.845, subdivision 12.

Sec. 2. Minnesota Statutes 2016, section 169.64, subdivision 2, is amended to read:

Subd. 2. **Colored light.** (a) Unless otherwise authorized by the commissioner of public safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light or any colored light other than those required or permitted in this chapter or section 221.845.

(b) A vehicle manufactured for use as an emergency vehicle may display and use colored lights that are not otherwise required or permitted in this chapter, provided that the vehicle is owned and operated according to section 168.10, is owned and operated solely as a collector's item and not for general transportation purposes, and is registered under section 168.10, subdivision 1a, 1b, 1c, 1d, 1g, or 1h. A person may not activate the colored lights authorized under this paragraph on streets or highways except as part of a parade or other special event.

Sec. 3. Minnesota Statutes 2016, section 169.685, subdivision 6, is amended to read:

Subd. 6. **Exceptions.** (a) This section does not apply to:

(1) a person transporting a child in an emergency medical vehicle while in the performance of official duties and when the physical or medical needs of the child make the use of a child passenger restraint system unreasonable or when a child passenger restraint system is not available;

(2) a peace officer transporting a child while in the performance of official duties and when a child passenger restraint system is not available, provided that a seat belt must be substituted;

(3) a person while operating a motor vehicle for hire, including a taxi, airport limousine, ~~and~~ bus, and TNC vehicle as defined in section 221.845, subdivision 1, but excluding a rented, leased, or borrowed motor vehicle; and

(4) a person while operating a school bus that has a gross vehicle weight rating of greater than 10,000 pounds.

(b) A child passenger restraint system is not required for a child who cannot, in the judgment of a licensed physician, be safely transported in a child passenger restraint system because of a medical condition, body size, or physical disability. A motor vehicle operator claiming exemption for a child under this paragraph must possess a typewritten statement from the physician stating that the child cannot be safely transported in a child passenger restraint system. The statement must give the name and birth date of the child, be dated within the previous six months, and be made on the physician's letterhead or contain the physician's name, address, and telephone number. A person charged with violating subdivision 5 may not be convicted if the person produces the physician's statement in court or in the office of the arresting officer.

(c) A person offering a motor vehicle for rent or lease shall provide a child passenger restraint device to a customer renting or leasing the motor vehicle who requests the device. A reasonable rent or fee may be charged for use of the child passenger restraint device.

Sec. 4. Minnesota Statutes 2016, section 221.012, subdivision 25, is amended to read:

Subd. 25. **Motor carrier.** "Motor carrier" means a person engaged in the for-hire transportation of property or passengers. "Motor carrier" does not include a person providing transportation described in section 221.025, a building mover subject to section 221.81, ~~or~~ a person providing limousine service as defined in section 221.84, or a person performing or providing for transportation service under section 221.845.

Sec. 5. Minnesota Statutes 2016, section 221.012, subdivision 38, is amended to read:

Subd. 38. **Small vehicle passenger service.** (a) "Small vehicle passenger service" means a service provided by a person engaged in the for-hire transportation of passengers in a vehicle designed to transport seven or fewer persons, including the driver.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, "small vehicle passenger service" also includes for-hire transportation of persons who are certified by the Metropolitan Council to use special transportation service provided under section 473.386, in a vehicle designed to transport not more than 15 persons including the driver, that is equipped with a wheelchair lift and at least three wheelchair securement positions.

(c) Small vehicle passenger service does not include a motor carrier of railroad employees or service provided by a transportation network company, as defined in section 65B.472, subdivision 1.

Sec. 6. Minnesota Statutes 2016, section 221.031, subdivision 3b, is amended to read:

Subd. 3b. **Passenger transportation; exemptions.** (a) A person who transports passengers for hire in intrastate commerce, who is not made subject to the rules adopted in section 221.0314 by any other provision of this section, must comply with the rules for hours of service of drivers while transporting employees of an employer who is directly or indirectly paying the cost of the transportation.

(b) This subdivision does not apply to:

(1) a local transit commission;

(2) a transit authority created by law; or

(3) persons providing transportation:

(i) in a school bus as defined in section 169.011, subdivision 71;

(ii) in a Head Start bus as defined in section 169.011, subdivision 34;

(iii) in a commuter van;

(iv) in an authorized emergency vehicle as defined in section 169.011, subdivision 3;

(v) in special transportation service certified by the commissioner under section 174.30;

(vi) that is special transportation service as defined in section 174.29, subdivision 1, when provided by a volunteer driver operating a private passenger vehicle as defined in section 169.011, subdivision 52;

(vii) in a limousine the service of which is licensed by the commissioner under section 221.84; ~~or~~

(viii) in a taxicab, if the fare for the transportation is determined by a meter inside the taxicab that measures the distance traveled and displays the fare accumulated; or

(ix) in a TNC vehicle as provided under section 221.845.

Sec. 7. Minnesota Statutes 2016, section 221.091, subdivision 1, is amended to read:

Subdivision 1. **Local authority over streets and highways.** (a) Sections 221.012 to 221.291 do not authorize the use by a carrier of a public highway in a city of the first class in violation of a charter provision or ordinance of the city in effect January 1, 1925, unless the charter provision or ordinance is repealed after that date. In addition, sections 221.012 to 221.291 do not (1) curtail the right of a city to reasonably regulate or control the routing, parking, speed, or safety of operation of a motor vehicle operated by a carrier under the terms of those sections, (2) curtail the general police power of the city over its highways, or (3) abrogate any provision of the city's charter requiring certain conditions to be complied with before a carrier can use the highways of the city; and these rights and powers are expressly reserved and granted to the city. ~~However, no~~

(b) A city shall must not prohibit or deny the use of the public highways within its territorial boundaries by a carrier for (1) transporting passengers or property received within its boundaries to destinations beyond the city's boundaries, ~~or for~~ (2) transporting passengers or property from points beyond the city's boundaries to destinations within the city's boundaries, or ~~for~~ (3) transporting passengers or property from points beyond the city's boundaries through the city to points beyond the city's boundaries, when the carrier is operating pursuant to a certificate of registration, permit, or license issued under this chapter ~~or a permit issued by the commissioner under section 221.84.~~

Sec. 8. **[221.845] TRANSPORTATION NETWORK COMPANIES.**

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

(b) "Digital identification" means information stored on a transportation network company's digital network that:

(1) is accessible by a driver;

(2) serves as evidence of the identity of the driver;

(3) serves as evidence of the insurance coverage required under section 65B.472;

(4) displays a photo of the driver;

(5) displays an image of the make and model of the transportation network company vehicle; and

(6) identifies the make and model, as well as the license plate number, of the TNC vehicle.

(c) "Digital network" has the meaning given in section 65B.472, subdivision 1.

(d) "Prearranged ride" has the meaning given in section 65B.472, subdivision 1.

(e) "Transportation network company" or "TNC" has the meaning given in section 65B.472, subdivision 1.

(f) "Transportation network company driver" or "driver" has the meaning given in section 65B.472, subdivision 1. Transportation network company drivers are not common carriers.

(g) "Transportation network company rider" or "rider" has the meaning given in section 65B.472, subdivision 1.

(h) "Transportation network company vehicle" or "TNC vehicle" has the meaning given to "personal vehicle" in section 65B.472, subdivision 1.

Subd. 2. Transportation network company account. (a) A transportation network company account is established in the special revenue fund. The account consists of fees collected under subdivision 3 and funds donated, allotted, transferred, or otherwise provided to the account.

(b) Funds in the account are annually appropriated to the commissioner for administrative costs related to this section.

Subd. 3. Transportation network company; license, general requirements. (a) In order to operate in Minnesota, a transportation network company must obtain a license from the commissioner.

(b) The commissioner must issue a license to a transportation network company that submits an application in the form and manner provided by the commissioner, meets the requirements of this section, and pays an annual fee of \$5,000. The annual fee covers all of a transportation network company's drivers. The commissioner is prohibited from requiring a per-driver or per-vehicle fee.

(c) A license issued under this section is not assignable or transferable and is valid until it expires or is suspended, revoked, or canceled, whichever occurs first. A license is valid for one year from the date issued, and the expiration date is unchanged on a suspended license that is restored.

(d) A revoked license under subdivision 13 must not be reinstated. For a period of one year from the date of revocation, the commissioner must not issue a new license to a transportation network company for whom a license was revoked.

(e) A transportation network company must (1) be authorized or registered to do business in Minnesota, and (2) maintain an agent for service of process in Minnesota.

Subd. 4. Transportation network company; fare requirements. (a) A transportation network company may charge a fare for a prearranged ride provided to a rider if the transportation network company discloses the fare or fare calculation method to the rider via the digital network. If the fare is not disclosed to the rider before the prearranged ride begins, the transportation network company must provide the rider with the option to receive an estimated fare before the rider enters a TNC vehicle.

(b) Any payment by a rider for a prearranged ride by a driver must be made electronically through the digital network.

(c) A transportation network company must provide the following to a rider before the rider enters a TNC vehicle:

(1) the driver's first name;

(2) the make, model, and license plate number of the TNC vehicle; and

(3) the method by which the transportation network company calculates the applicable rate or fare being charged.

(d) Within a reasonable time following the completion of a prearranged ride, the transportation network company must transmit a receipt to the rider through electronic mail, text message, or other electronic means. The receipt must include:

(1) the origin and destination of the trip;

(2) the total time and distance of the trip; and

(3) an itemization of the total fare paid, if any.

Subd. 5. Driver qualifications. (a) Before permitting any individual to act as a driver, a transportation network company must:

(1) confirm that the individual is at least 19 years of age, holds a valid driver's license, and possesses proof of registration and has a plan of reparation security under section 65B.48 for the TNC vehicle;

(2) conduct a local, state, and national background check of the individual, including a query of (i) the multistate/multijurisdiction criminal records locator or other similar commercial national database, (ii) the U.S. Department of Justice national sex offender public Web site, and (iii) the Web site maintained by the commissioner of corrections under section 244.052, subdivision 4b; and

(3) obtain and review a driving history report for the individual.

(b) A transportation network company must not permit an individual to act as a driver if the individual:

(1) has been convicted of more than three moving violations, as defined in section 171.04, subdivision 1, within the past three years;

(2) has been convicted of a violation under any of the following within the past three years:

(i) section 609.487, subdivision 3 or 4; or

(ii) section 171.24;

(3) has had a driver's license revoked pursuant to section 171.17, subdivision 1, or suspended pursuant to section 171.18, subdivision 1, within the past three years;

(4) has been convicted of any of the following within the past seven years:

(i) a felony;

(ii) a misdemeanor or gross misdemeanor violation of chapter 152;

(iii) any violation of section 169.09, subdivision 14; 169.13; 169.21, subdivision 2, paragraph (c); 169.444, subdivision 2, paragraph (b); 169A.20, subdivision 1 or 2; or 169A.31; or

(iv) a misdemeanor or gross misdemeanor violation of section 518B.01, subdivision 14; 609.2113; 609.2231; 609.224; 609.2242; 609.231; 609.2325; 609.233; 609.255; 609.324; 609.3243; 609.3451; 609.377; 609.378; 609.50; 609.52; 609.5631; 609.5632; 609.582; 609.591; 609.593; 609.594; 609.595; 609.596; 609.597; 609.66; 609.661; 609.665; 609.71; 609.713; 609.746; 609.748; 609.749; 609.7495; 609.78; 609.79, subdivision 1, clause (1), item (i); or 629.75, subdivision 2; or

(5) is listed on the U.S. Department of Justice national sex offender public Web site, or the Web site maintained by the commissioner of corrections under section 244.052, subdivision 4b.

Subd. 6. Driver operating requirements. (a) A driver is prohibited from:

(1) providing prearranged rides for a transportation network company unless the transportation network company has a license under subdivision 3;

(2) providing prearranged rides unless the rider has been matched to the driver through the digital network;

(3) soliciting a ride or accepting a street hail request for a ride; or

(4) soliciting or accepting cash payments for a fare from a rider.

(b) A driver must display a consistent and distinctive sign or emblem on the TNC vehicle at all times while the driver is active on the digital network.

(c) A driver may refuse to transport a rider if the rider acts in an unlawful, disorderly, or endangering manner.

(d) Upon request of a peace officer, a driver must display digital identification and electronic evidence that the rider was matched through the digital network. If the information described in this paragraph is contained on an electronic device, the driver is not required to relinquish possession of the electronic device.

Subd. 7. **TNC vehicle requirements; inspection.** (a) Before permitting a TNC vehicle to be used to provide prearranged rides, a transportation network company must conduct or confirm that the TNC vehicle has undergone and passed a safety inspection.

(b) At a minimum, the safety inspection must evaluate the following components of the vehicle:

(1) brake system;

(2) parking brakes;

(3) steering mechanism;

(4) windshield;

(5) rear window and other glass;

(6) windshield wipers;

(7) headlights;

(8) taillights;

(9) brake lights;

(10) turn signal lights;

(11) doors;

(12) front seat adjustment mechanism;

(13) horn;

(14) speedometer;

(15) bumpers;

(16) muffler and exhaust system;

(17) tires, including tread depth;

(18) interior and exterior mirrors; and

(19) safety belts.

Subd. 8. **TNC vehicle requirements; vehicles and equipment.** (a) A TNC vehicle must (1) have four doors; (2) be registered under chapter 168 as a passenger automobile or noncommercial vehicle, as defined in section 168.002; and (3) be designed to transport not more than eight passengers, including the driver.

(b) A TNC vehicle sign or emblem displayed by a driver under subdivision 6 must:

(1) be approved by the commissioner of transportation, in consultation with the commissioner of public safety;

(2) be sufficiently large and color-contrasted to be readable during daylight hours from a distance of at least 50 feet;

(3) be reflective, illuminated, or otherwise visible in dark conditions; and

(4) sufficiently identify a TNC vehicle as being associated with the transportation network company.

(c) A TNC vehicle may be equipped with no more than two removable, interior-mounted, trade dress identifying devices as provided by the transportation network company, that are designed to assist riders in identifying and communicating with drivers. The identifying device may be illuminated and emit a steady beam of solid colored light in any direction when the driver is logged in to the digital network. The identifying device may change the color of light being emitted once the driver accepts a request to transport a rider and is within 0.4 miles of the rider.

(d) The identifying device under paragraph (c) must not:

(1) emit a light exceeding five candlepower;

(2) contain an illuminated area that exceeds 20 square inches;

(3) display the colors red, amber, or blue;

(4) project a flashing, oscillating, alternating, or rotating light, or a glaring or dazzling light; and

(5) be attached to the windshield.

Subd. 9. Zero-tolerance intoxicating substance policy. (a) A transportation network company must implement a zero-tolerance intoxicating substance policy for drivers that prohibits any amount of driver intoxication while providing a prearranged ride. The transportation network company must include on its Web site a notice concerning the transportation network company's intoxicating substance policy and include a means for a rider or another individual to submit a complaint regarding a suspected violation of the policy.

(b) Upon receipt of a rider complaint alleging a violation of the intoxicating substance policy, the transportation network company must immediately suspend the driver's access to the digital network and conduct an investigation into the reported incident. At a minimum, the suspension must last for the duration of the investigation.

Subd. 10. Nondiscrimination and accessibility. (a) A transportation network company must implement a policy that prohibits discrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to all potential riders. The policy must also prohibit drivers from refusing to provide service to an individual with a service animal.

(b) A transportation network company must notify all drivers of the nondiscrimination policy. All drivers must comply with the nondiscrimination policy.

(c) A transportation network company is prohibited from imposing any additional charge on a rider with a physical disability because of the disability.

(d) A transportation network company must provide a rider an opportunity to indicate whether the rider requires a wheelchair-accessible vehicle. If a wheelchair-accessible vehicle cannot be provided, the transportation network company must direct the requesting rider to an alternate provider of wheelchair-accessible service, if one is available.

Subd. 11. **Records; retention; inspections.** (a) A transportation network company must maintain records that document compliance with the requirements of this section for two years from the date of documentation.

(b) For the sole purpose of verifying that a transportation network company is in compliance with the requirements of this section, the commissioner may visually inspect records that the transportation network company is required to maintain under this subdivision. For records of drivers, TNC vehicles, riders, or prearranged rides, the inspection must only review a random sample of the records. Any data furnished to the commissioner may exclude information identifying specific TNC drivers or passengers, unless the commissioner demonstrates that there is good cause to inspect the identifying information. Except for an inspection under paragraph (c), the commissioner must not perform more than one inspection of a transportation network company each year.

(c) In response to a specific complaint made to the commissioner against a driver or a transportation network company, the commissioner may inspect records maintained by the transportation network company under this subdivision that are necessary to investigate and resolve the complaint. Any data furnished to the commissioner may exclude information that would identify specific drivers or passengers, unless the identity of a driver or rider is relevant to the complaint.

(d) An inspection under this subdivision must take place at a mutually agreed upon location in a city of the first class that is located within the metropolitan area, as defined in section 473.121, subdivision 2, or through a mutually agreed upon secure electronic process.

Subd. 12. **Data practices; liability.** (a) Data disclosed to the commissioner by a transportation network company, including the names, addresses, and any other personally identifiable information of drivers or riders, is nonpublic data or private data on individuals, as defined in section 13.02, subdivisions 9 and 12.

(b) If data provided to the commissioner pursuant to this section is sought through a court order or subpoena, the commissioner must promptly notify the transportation network company. If there is a breach of the security of the data as provided under section 13.055, the commissioner must notify the transportation network company in the same manner as provided for individuals under that section.

(c) A transportation network company shall disclose a rider's personal identifying information to a person other than the rider only if:

(1) the rider consents;

(2) disclosure is required by a legal obligation, including as part of an investigation under subdivision 11;

(3) disclosure is required to protect or defend the terms of use of the transportation network company service or to investigate violation of the terms; or

(4) disclosure is as provided in paragraph (d).

(d) A transportation network company may share a rider's name with the driver transporting the rider in order to facilitate identification of the rider, or to facilitate communication between the rider and the driver.

(e) A transportation network company is not civilly or criminally liable for a violation of chapter 13 by the commissioner.

Subd. 13. **Violations; enforcement.** (a) The commissioner may issue an order that requires violations of this section by a transportation network company to be corrected, assesses a penalty of up to \$500 for each violation, or both. The commissioner may suspend, revoke, or deny renewal of a license for a violation of this section.

(b) The commissioner must immediately suspend a license if the commissioner determines that the transportation network company failed to maintain required insurance and must not restore the suspended license until proof of insurance is provided.

(c) The commissioner must revoke a license if the commissioner determines that the transportation network company (1) knowingly made a material false or misleading statement in a license application; or (2) operated as a transportation network company under this section while the license was suspended.

(d) The commissioner may issue an order that requires violations of this section by a driver to be corrected, assess a penalty of up to \$100 for each violation, or both. The commissioner may issue an order requiring a transportation network company to suspend a driver for a violation of this section.

(e) For an order or administrative penalty under this subdivision, the commissioner must follow the procedures in section 221.036, subdivisions 4 to 10. A transportation network company or a driver may request an administrative hearing or petition a court under the procedures in section 221.036, subdivisions 7 to 10.

(f) A person who violates this section is guilty of a petty misdemeanor.

Subd. 14. Uniform statewide regulation. (a) This section applies uniformly throughout the state and in all political subdivisions.

(b) This section supersedes any ordinance or other regulation adopted by a political subdivision that specifically governs transportation network companies, drivers, or TNC vehicles, including those adopted before the effective date of this section.

(c) A political subdivision is prohibited from:

(1) imposing any fee on a transportation network company, driver, or TNC vehicle if the fee relates to (i) providing prearranged rides, (ii) entry into the jurisdiction of the political subdivision, or (iii) operations of the transportation network company; or

(2) requiring a transportation network company or driver to obtain a business license or other similar authorization to operate within the political subdivision's jurisdiction.

(d) An airport is prohibited from imposing any regulatory or licensing requirement that supplements or is inconsistent with the requirements in this section, except that an airport may:

(1) charge reasonable fees for use of the airport or its facilities;

(2) require a transportation network company to enter into an agreement with or otherwise obtain authorization from an airport prior to allowing TNC drivers to pick up passengers at the airport; and

(3) adopt reasonable regulations governing the operation of TNC vehicles at the airport, including procedures governing staging, dropping off or picking up passengers at the airport, or use of airport facilities.

Sec. 9. EFFECTIVE DATE.

This act is effective January 1, 2019, and applies to transportation network companies in operation on or after that date."

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 3056, A bill for an act relating to transportation; authorizing licensed physical therapists to provide a medical statement for parking privileges for physically disabled persons; amending Minnesota Statutes 2016, section 169.345, subdivision 2.

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

The report was adopted.

Johnson, B., from the Committee on Public Safety and Security Policy and Finance to which was referred:

H. F. No. 3172, A bill for an act relating to public safety; requiring notice to home care provider of person's status as registered predatory offender; amending Minnesota Statutes 2016, section 243.166, subdivision 4b.

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

The report was adopted.

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

H. F. No. 3198, A bill for an act relating to health insurance; requesting the legislative auditor to study and report on disparities in certain health insurance rates; appropriating money.

Reported the same back with the following amendments:

Page 2, line 18, delete "and" and insert a comma

Page 2, line 19, after "residents" insert ", and the commissioner of health"

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

The report was adopted.

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

H. F. No. 3232, A bill for an act relating to energy; modifying the solar energy incentive program; amending Minnesota Statutes 2017 Supplement, sections 116C.7792; 216B.1691, subdivision 2f.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2017 Supplement, section 116C.7792, is amended to read:

116C.7792 SOLAR ENERGY INCENTIVE PROGRAM.

The utility subject to section 116C.779 shall operate a program to provide solar energy production incentives for solar energy systems of no more than a total aggregate nameplate capacity of ~~20~~ 40 kilowatts direct current per premise. The owner of a solar energy system installed before June 1, 2018, is eligible to receive a production incentive under this section for any additional solar energy systems constructed at the same customer location, provided that the aggregate capacity of all systems at the customer location does not exceed 40 kilowatts. The program shall be operated for eight consecutive calendar years commencing in 2014. \$5,000,000 shall be allocated in each of the first four years, \$15,000,000 in the fifth year, \$10,000,000 in each of the sixth and seventh years, and \$5,000,000 in the eighth year from funds withheld from transfer to the renewable development account under section 116C.779, subdivision 1, paragraphs (b) and (e), and placed in a separate account for the purpose of the solar production incentive program operated by the utility and not for any other program or purpose. Any unspent amount allocated in the fifth year is available until December 31 of the sixth year. Beginning with the allocation in the sixth year and thereafter, any unspent amount remaining at the end of an allocation year must be transferred to the renewable development account. Applications submitted in the fifth year may be amended without reapplication for the portion of a project over a nameplate capacity of 20 kilowatts. The solar system must be sized to less than 120 percent of the customer's on-site annual energy consumption when combined with other distributed generation resources and subscriptions provided under section 216B.1641 associated with the premise. The production incentive must be paid for ten years commencing with the commissioning of the system. The utility must file a plan to operate the program with the commissioner of commerce. The utility may not operate the program until it is approved by the commissioner. A change to the program to include projects up to a nameplate capacity of 40 kilowatts or less does not require the utility to file a plan with the commissioner. Any plan approved by the commissioner of commerce must not provide an increased incentive scale over prior years unless the commissioner demonstrates that changes in the market for solar energy facilities require an increase.

EFFECTIVE DATE. This section is effective June 1, 2018."

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

The report was adopted.

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

H. F. No. 3253, A bill for an act relating to human services; exempting child care providers from the positive support strategies training rule; amending Minnesota Statutes 2016, section 245.8251, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

The report was adopted.

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

H. F. No. 3258, A bill for an act relating to government data practices; modifying requirements for mandatory biennial audits of automatic license plate reader data; amending Minnesota Statutes 2016, section 13.824, subdivisions 5, 6, 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 13.824, subdivision 5, is amended to read:

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

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

(2) the aggregate number of vehicles or license plates on which data are collected for each period of active use and a list of all state and federal databases with which the data were compared, unless the existence of the database itself is not public;

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

(i) that identify a vehicle or license plate that has been stolen;

(ii) that identify a vehicle whose owner has an outstanding arrest warrant; and

(iii) that identify a vehicle whose owner has a suspended, revoked, or canceled driver's license; and

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

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

Sec. 2. Minnesota Statutes 2016, section 13.824, subdivision 6, is amended to read:

Subd. 6. **Biennial audit.** (a) ~~In addition to the log required under subdivision 5, the law enforcement agency must maintain records showing the date and time automated license plate reader data were collected and the applicable classification of the data. The law enforcement agency shall arrange for an independent, biennial audit of the records to determine whether data currently in the records are classified, how the data are used, whether they are destroyed as required under this section, and to verify compliance with subdivision 7. If the commissioner of administration believes that a law enforcement agency is not complying with this section or other applicable law, the commissioner may order a law enforcement agency to arrange for additional independent audits. Data in the records required under this paragraph are classified as provided in subdivision 2. A law enforcement agency that installs or uses an automatic license plate reader must contract with the state auditor or a private auditing firm to perform an independent, biennial audit of the agency's automated license plate reader data to verify compliance with this section. For purposes of this subdivision, the time period for conducting a biennial audit commences when an agency begins using automated license plate reader technology. By July 1 of each odd-numbered year, the agency must provide a report on the results of each audit to the commissioner of administration, to the chair and ranking minority members of the legislative committees with jurisdiction over data practices and public safety issues, and to the Legislative Commission on Data Practices and Personal Data Privacy.~~

(b) ~~The results of the audit are report required under paragraph (a) is public-~~ and must include the following and assess compliance with this section:

(1) the number of automated license plate readers used by the agency, including the brand and model of each reader, whether the reader is mobile or stationary, and contact information for the agency's automated license plate reader vendor;

(2) all information in the log of use required by subdivision 5 for the biennial period; and

(3) all agency policies and procedures regarding automated license plate readers and automated license plate reader data, including policies and procedures regarding classification of the data, role-based access and data security, data retention and destruction, and data sharing.

(c) ~~The commissioner of administration shall review the results of the audit report. If, based on the audit report, the commissioner of administration believes that a law enforcement agency is not complying with this section or other applicable law, the commissioner may order a law enforcement agency to arrange for additional independent audits.~~ If the commissioner determines that there is a pattern of substantial noncompliance with this section by the law enforcement agency, the agency must immediately suspend operation of all automated license plate reader devices until the commissioner has authorized the agency to reinstate their use. An order of suspension under this paragraph may be issued by the commissioner, upon review of the ~~results of the audit report~~, review of the applicable provisions of this chapter, and after providing the agency a reasonable opportunity to respond to the audit's findings.

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

Sec. 3. Minnesota Statutes 2016, section 13.824, subdivision 7, is amended to read:

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

(b) The responsible authority for a law enforcement agency must establish written procedures to ensure that law enforcement personnel have access to the data only if authorized in writing by the chief of police, sheriff, or head of the law enforcement agency, or their designee, to obtain access to data collected by an automated license plate reader for a legitimate, specified, and documented law enforcement purpose. The ability of authorized individuals to enter, update, or access automated license plate reader data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. Consistent with the requirements of paragraph (c), each access must be based on a reasonable suspicion that the data are pertinent to an active criminal investigation and must include a record of the factual basis for the access and any associated case number, complaint, or incident that is the basis for the access.

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

Sec. 4. Minnesota Statutes 2016, section 13.824, subdivision 8, is amended to read:

Subd. 8. **Notification to Bureau of Criminal Apprehension.** (a) Within ten days of ~~the installation or current use of~~ acquiring an automated license plate reader or the integration of automated license plate reader technology into another surveillance device, a law enforcement agency must notify the Bureau of Criminal Apprehension ~~of that installation or use~~ that it has acquired automated license plate reader technology. Within ten days of beginning the use of an automated license plate reader, a law enforcement agency must notify the Bureau of Criminal Apprehension that it has begun using automated license plate reader technology and of any fixed location of a stationary automated license plate reader.

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

Sec. 5. Minnesota Statutes 2016, section 13.825, subdivision 7, is amended to read:

Subd. 7. **Authorization to access data.** (a) A law enforcement agency must comply with sections 13.05, subdivision 5, and 13.055 in the operation of portable recording systems and in maintaining portable recording system data.

(b) The responsible authority for a law enforcement agency must establish written procedures to ensure that law enforcement personnel have access to the portable recording system data that are not public only if authorized in writing by the chief of police, sheriff, or head of the law enforcement agency, or their designee, to obtain access to the data for a legitimate, specified law enforcement purpose. The ability of authorized individuals to enter, redact, or access portable recording system data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. Consistent with the requirements of paragraph (c), each access must include a record of the factual basis for the access and any associated case number, complaint, or incident that is the basis for the access.

(c) All actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public to the extent that the data are not otherwise classified by law.

Sec. 6. Minnesota Statutes 2016, section 13.825, subdivision 9, is amended to read:

Subd. 9. **Biennial audit.** (a) ~~A law enforcement agency must maintain records showing the date and time portable recording system data were collected and the applicable classification of the data. The law enforcement agency shall arrange for an independent, biennial audit of the data to determine whether data are appropriately classified according to this section, how the data are used, and whether the data are destroyed as required under this section, and to verify compliance with subdivisions 7 and 8. If the governing body with jurisdiction over the budget of the agency determines that the agency is not complying with this section or other applicable law, the governing body may order additional independent audits. Data in the records required under this paragraph are classified as provided in subdivision 2. A law enforcement agency that uses a portable recording system must contract with the state auditor or a private auditing firm to perform an independent, biennial audit of the agency's portable recording system data to verify compliance with this section. By July 1 of each odd-numbered year, the agency must provide a report on the results of each audit to the commissioner of administration, to the chair and ranking minority members of the legislative committees with jurisdiction over data practices and public safety issues, and to the Legislative Commission on Data Practices and Personal Data Privacy.~~

(b) ~~The results of the audit are report required under paragraph (a) is public, except for data that are otherwise classified under law, and must include the following and assess compliance with this section:~~

(1) all information required by subdivision 5 for the biennial period; and

(2) all agency policies and procedures regarding portable recording systems and portable recording system data including policies and procedures regarding classification of the data, role-based access and data security, data retention and destruction, and data sharing.

(c) The governing body with jurisdiction over the budget of the law enforcement agency shall review the ~~results of the audit report~~. If the governing body determines that there is a pattern of substantial noncompliance with this section, the governing body must order that operation of all portable recording systems be suspended until the governing body has authorized the agency to reinstate their use. An order of suspension under this paragraph may only be made following review of the ~~results of the audit report~~ and review of the applicable provisions of this chapter, and after providing the agency and members of the public a reasonable opportunity to respond to the audit's findings in a public meeting.

~~(e) A report summarizing the results of each audit must be provided to the governing body with jurisdiction over the budget of the law enforcement agency and to the Legislative Commission on Data Practices and Personal Data Privacy no later than 60 days following completion of the audit."~~

Delete the title and insert:

"A bill for an act relating to data practices; modifying provisions governing automatic license plate readers and portable recording systems; amending Minnesota Statutes 2016, sections 13.824, subdivisions 5, 6, 7, 8; 13.825, subdivisions 7, 9."

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3273, A bill for an act relating to the Metropolitan Council; modifying governance of the Metropolitan Council; eliminating the Transportation Advisory Board; amending Minnesota Statutes 2016, sections 3.8841, subdivision 9; 473.123; 473.146, subdivisions 3, 4; Minnesota Statutes 2017 Supplement, section 15A.0815, subdivision 3; repealing Laws 1994, chapter 628, article 1, section 8.

Reported the same back with the following amendments:

Page 2, line 14, delete "29" and insert "28"

Page 2, delete lines 16 and 17 and insert:

"(1) a county commissioner from each of Anoka, Carver, Dakota, Ramsey, Scott, and Washington Counties, appointed by the respective county boards;

(2) two county commissioners from Hennepin County appointed by the county board, one of whom must represent a ward that is predominantly located within the city of Minneapolis, and one of whom must represent a ward that does not include the city of Minneapolis;"

Page 2, delete lines 20 to 22

Renumber the clauses in sequence

Page 3, delete lines 30 to 35

Page 4, delete lines 1 to 3

Reletter the paragraphs in sequence

Page 4, line 5, after "of" insert "Anoka,"

Page 4, line 7, delete "Anoka,"

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3308, A bill for an act relating to health; providing protections for older adults and vulnerable adults; modifying the health care and home care bills of rights; modifying the regulation of home care providers; modifying correction order provisions; establishing a training and operations panel within the Office of Health Facility Complaints; modifying requirements for reporting maltreatment of vulnerable adults; establishing working groups; requiring reports; appropriating money; amending Minnesota Statutes 2016, sections 144.651, subdivision 20; 144A.44, subdivision 1; 144A.473, subdivision 2; 144A.474, subdivisions 2, 8; 144A.53, subdivision 1, by adding subdivisions; 626.557, subdivisions 5, 9c, 9e, 12b, 17; Minnesota Statutes 2017 Supplement, section 144A.10, subdivision 4.

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

The report was adopted.

Johnson, B., from the Committee on Public Safety and Security Policy and Finance to which was referred:

H. F. No. 3356, A bill for an act relating to public safety; modifying the commissioner of public safety's authority to suspend drivers' licenses in certain situations; making technical changes; amending Minnesota Statutes 2016, sections 169.92, subdivision 4; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 171.20, subdivision 4; repealing Minnesota Statutes 2016, sections 171.171; 171.175.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 169.92, subdivision 4, is amended to read:

Subd. 4. **Suspension of driver's license.** (a) Upon receiving a report from the court, or from the driver licensing authority of a state, district, territory, or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to section 169.91, that a resident of this state or a person licensed as a driver in this state did not appear in court in compliance with the terms of a citation, the commissioner of public safety shall notify the driver that the driver's license will be suspended unless the commissioner receives notice within 30 days that the driver has appeared in the appropriate court ~~or, if the offense is a petty misdemeanor for which a guilty plea was entered under section 609.491, that the person has paid any fine imposed by the court.~~ If the commissioner does not receive notice of the appearance in the appropriate court ~~or payment of the fine~~ within 30 days of the date of the commissioner's notice to the driver, the commissioner may suspend the driver's license, subject to the notice requirements of section 171.18, subdivision 2. Notwithstanding the requirements in this section, the commissioner is prohibited from suspending the driver's license of a person based solely on the fact that the person did not appear in court in compliance with the terms of a citation for a petty misdemeanor or for a violation of section 171.24, subdivision 1.

(b) The order of suspension shall indicate the reason for the order and shall notify the driver that the driver's license shall remain suspended until the driver has furnished evidence, satisfactory to the commissioner, of compliance with any order entered by the court.

(c) Suspension shall be ordered under this subdivision only when the report clearly identifies the person arrested; describes the violation, specifying the section of the traffic law, ordinance or rule violated; indicates the location and date of the offense; and describes the vehicle involved and its registration number.

Sec. 2. Minnesota Statutes 2016, section 171.16, subdivision 2, is amended to read:

Subd. 2. **Commissioner shall suspend.** (a) The court may recommend the suspension of the driver's license of the person so convicted, and the commissioner shall suspend such license as recommended by the court, without a hearing ~~as provided herein.~~

(b) The commissioner is prohibited from suspending a person's driver's license if the person was convicted only under section 171.24, subdivision 1 or 2.

Sec. 3. Minnesota Statutes 2016, section 171.16, subdivision 3, is amended to read:

Subd. 3. **Suspension for Failure to pay fine.** ~~When any court reports to~~ The commissioner must not suspend a person's driver's license based solely on the fact that a person: (1) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles, (2) has been sentenced to the payment of a fine or had a surcharge levied against that person, or sentenced to a fine upon which a surcharge was levied, and (3) has refused or failed to comply with that sentence or to pay the surcharge; ~~notwithstanding the fact that the court has determined that the person has the ability to pay the fine or surcharge, the commissioner shall suspend the driver's license of such person for 30 days for a refusal or failure to pay or until notified by the court that the fine or surcharge, or both if a fine and surcharge were not paid, has been paid.~~

Sec. 4. Minnesota Statutes 2016, section 171.18, subdivision 1, is amended to read:

Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver without preliminary hearing upon a showing by department records or other sufficient evidence that the licensee:

- (1) has committed an offense for which mandatory revocation of license is required upon conviction;
- (2) has been convicted by a court for violating a provision of chapter 169 or an ordinance regulating traffic, other than a conviction for a petty misdemeanor, and department records show that the violation contributed in causing an accident resulting in the death or personal injury of another, or serious property damage;
- (3) is an habitually reckless or negligent driver of a motor vehicle;
- (4) is an habitual violator of the traffic laws;
- (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;
- (6) has permitted an unlawful or fraudulent use of the license;
- (7) has committed an offense in another state that, if committed in this state, would be grounds for suspension;
- (8) has committed a violation of section 169.444, subdivision 2, paragraph (a), within five years of a prior conviction under that section;
- (9) has committed a violation of section 171.22, except that the commissioner may not suspend a person's driver's license based solely on the fact that the person possessed a fictitious or fraudulently altered Minnesota identification card;
- (10) has failed to appear in court as provided in section 169.92, subdivision 4;
- (11) has failed to report a medical condition that, if reported, would have resulted in cancellation of driving privileges;
- (12) has been found to have committed an offense under section 169A.33; or
- (13) has paid or attempted to pay a fee required under this chapter for a license or permit by means of a dishonored check issued to the state or a driver's license agent, which must be continued until the registrar determines or is informed by the agent that the dishonored check has been paid in full.

However, an action taken by the commissioner under clause (2) or (5) must conform to the recommendation of the court when made in connection with the prosecution of the licensee.

(b) The commissioner ~~may not suspend~~ is prohibited from suspending the driver's license of an individual under paragraph (a) who was convicted of a violation of section 171.24, subdivision 1, ~~whose license was under suspension at the time solely because of the individual's failure to appear in court or failure to pay a fine or~~ 2.

Sec. 5. **RETROACTIVE DRIVER'S LICENSE REINSTATEMENT.**

(a) The commissioner of public safety must make an individual's driver's license eligible for reinstatement if the license is solely suspended pursuant to:

(1) Minnesota Statutes 2016, section 171.16, subdivision 2, if the person was convicted only under Minnesota Statutes, section 171.24, subdivision 1 or 2;

(2) Minnesota Statutes 2016, section 171.16, subdivision 3; or

(3) both clauses (1) and (2).

(b) By December 1, 2018, the commissioner must provide written notice to an individual whose license has been made eligible for reinstatement under paragraph (a), addressed to the licensee at the licensee's last known address.

(c) Before the license is reinstated, an individual whose driver's license is eligible for reinstatement under paragraph (a) must pay the reinstatement fee under Minnesota Statutes, section 171.20, subdivision 4.

(d) The following applies for an individual who is eligible for reinstatement under paragraph (a), clause (1), (2), or (3), and whose license was suspended, revoked, or canceled under any other provision in Minnesota Statutes:

(1) the suspension, revocation, or cancellation under any other provision in Minnesota Statutes remains in effect;

(2) subject to clause (1), the individual may become eligible for reinstatement under paragraph (a), clause (1), (2), or (3); and

(3) the commissioner is not required to send the notice described in paragraph (b).

(e) Paragraph (a) applies notwithstanding Minnesota Statutes 2016, sections 169.92, subdivision 4; 171.16, subdivision 2 or 3; or any other law to the contrary."

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "providing for retroactive driver's license reinstatement in certain instances;"

Correct the title numbers accordingly

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

The report was adopted.

Hamilton from the Committee on Agriculture Finance to which was referred:

H. F. No. 3374, A bill for an act relating to agriculture; reducing noncommercial pesticide applicator license fee for certain persons; amending Minnesota Statutes 2016, section 18B.34, subdivision 5.

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

The report was adopted.

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

H. F. No. 3403, A bill for an act relating to human services; modifying provisions relating to child care licensing; amending Minnesota Statutes 2016, sections 245A.14, by adding a subdivision; 245A.1435; 245A.152; 245A.16, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 245A.04, subdivision 9, is amended to read:

Subd. 9. **Variances.** (a) The commissioner may grant variances to rules that do not affect the health or safety of persons in a licensed program if the following conditions are met:

(1) the variance must be requested by an applicant or license holder on a form and in a manner prescribed by the commissioner;

(2) the request for a variance must include the reasons that the applicant or license holder cannot comply with a requirement as stated in the rule and the alternative equivalent measures that the applicant or license holder will follow to comply with the intent of the rule; and

(3) the request must state the period of time for which the variance is requested.

The commissioner may grant a permanent variance when conditions under which the variance is requested do not affect the health or safety of persons being served by the licensed program, nor compromise the qualifications of staff to provide services. The permanent variance shall expire as soon as the conditions that warranted the variance are modified in any way. Any applicant or license holder must inform the commissioner of any changes or modifications that have occurred in the conditions that warranted the permanent variance. Failure to advise the commissioner shall result in revocation of the permanent variance and may be cause for other sanctions under sections 245A.06 and 245A.07.

The commissioner's decision to grant or deny a variance request is final and not subject to appeal under the provisions of chapter 14.

(b) The commissioner shall consider variances for child care center staff qualification requirements under Minnesota Rules, parts 9503.0032 and 9503.0033, that do not affect the health and safety of children served by the center. A variance request must be submitted to the commissioner in accordance with paragraph (a) and must include a plan for the staff person to gain additional experience, education, or training, as requested by the commissioner. When reviewing a variance request under this section, the commissioner shall consider the staff person's level of professional development and completion of child care training courses.

Sec. 2. Minnesota Statutes 2016, section 245A.14, is amended by adding a subdivision to read:

Subd. 4a. **Specialized infant and toddler family child care.** A group family day care program licensed as a class D specialized infant and toddler group family day care under Minnesota Rules, part 9502.0367, may operate as a class B specialized infant and toddler family day care program on days when only one caregiver is present.

Sec. 3. Minnesota Statutes 2016, section 245A.1435, is amended to read:

245A.1435 REDUCTION OF RISK OF SUDDEN UNEXPECTED INFANT DEATH IN LICENSED PROGRAMS.

(a) When a license holder is placing an infant to sleep, the license holder must place the infant on the infant's back, unless the license holder has documentation from the infant's physician directing an alternative sleeping position for the infant. The physician directive must be on a form approved by the commissioner and must remain on file at the licensed location. An infant who independently rolls onto its stomach after being placed to sleep on its back may be allowed to remain sleeping on its stomach if the infant is at least six months of age or the license holder has a signed statement from the parent indicating that the infant regularly rolls over at home.

(b) The license holder must place the infant in a crib directly on a firm mattress with a fitted sheet that is appropriate to the mattress size, that fits tightly on the mattress, and overlaps the underside of the mattress so it cannot be dislodged by pulling on the corner of the sheet with reasonable effort. The license holder must not place anything in the crib with the infant except for the infant's pacifier, as defined in Code of Federal Regulations, title 16, part 1511. The requirements of this section apply to license holders serving infants younger than one year of age. Licensed child care providers must meet the crib requirements under section 245A.146. A correction order shall not be issued under this paragraph unless there is evidence that a violation occurred when an infant was present in the license holder's care.

(c) If an infant falls asleep before being placed in a crib, the license holder must move the infant to a crib as soon as practicable, and must keep the infant within sight of the license holder until the infant is placed in a crib. When an infant falls asleep while being held, the license holder must consider the supervision needs of other children in care when determining how long to hold the infant before placing the infant in a crib to sleep. The sleeping infant must not be in a position where the airway may be blocked or with anything covering the infant's face.

(d) Placing ~~a swaddled~~ an infant swaddled in a blanket down to sleep in a licensed setting is not recommended for an infant of any age and is prohibited for any infant who has begun to roll over independently. However, with the written consent of a parent or guardian according to this paragraph, a license holder may place the infant who has not yet begun to roll over on its own down to sleep in a ~~one piece sleeper equipped with an attached system that fastens securely only across the upper torso,~~ sleep system that is not under a recall or warning from the United States Consumer Product Safety Commission, with no constriction of the hips or legs, to create a swaddle. The commissioner of human services shall provide photographs of permitted sleep systems and their component parts on the Department of Human Services Web site. Prior to any use of swaddling for sleep by a provider licensed under this chapter, the license holder must obtain informed written consent for the use of swaddling from the parent or guardian of the infant on a form provided by the commissioner and prepared in partnership with the Minnesota Sudden Infant Death Center.

When an infant displays the ability to roll over, the use of a swaddle, a sleep system that creates a swaddle, or a sleep system that has a hood or any other attachment is prohibited.

Sec. 4. Minnesota Statutes 2016, section 245A.152, is amended to read:

245A.152 CHILD CARE LICENSE HOLDER INSURANCE.

(a) A license holder must provide a written notice to all parents or guardians of all children to be accepted for care prior to admission stating whether the license holder has liability insurance. This notice may be incorporated into and provided on the admission form used by the license holder.

(b) If the license holder has liability insurance:

(1) the license holder shall inform parents in writing that a current certificate of coverage for insurance is available for inspection to all parents or guardians of children receiving services and to all parents seeking services from the family child care program;

(2) the notice must provide the parent or guardian with the date of expiration or next renewal of the policy; and

(3) upon the expiration ~~date~~ of the policy or a change in coverage, the license holder must provide a new written notice informing all parents or guardians of children receiving services of the change and indicating whether the insurance policy has lapsed ~~or whether the license holder has renewed the policy.~~

~~If the policy was renewed, the license holder must provide the new expiration date of the policy in writing to the parents or guardians.~~

If a license holder has an insurance policy that automatically renews each year, the license holder may indicate the policy's annual renewal date in the initial written notice to parents and guardians. This initial written notice shall remain valid and no further notices are required until the insurance coverage changes or the policy lapses.

(c) If the license holder does not have liability insurance, the license holder must provide an annual notice, on a form developed and made available by the commissioner, to the parents or guardians of children in care indicating that the license holder does not carry liability insurance.

(d) The license holder must notify all parents and guardians in writing immediately of any change in insurance status.

(e) The license holder must make available upon request the certificate of liability insurance to the parents of children in care, to the commissioner, and to county licensing agents.

(f) The license holder must document, with the signature of the parent or guardian, that the parent or guardian received the notices required by this section.

Sec. 5. Minnesota Statutes 2016, section 245A.16, subdivision 2, is amended to read:

Subd. 2. **Investigations.** (a) The county or private agency shall conduct timely investigations of allegations of maltreatment of children or adults in programs for which the county or private agency is the commissioner's designated representative and record a disposition of each complaint in accordance with applicable law or rule. The county or private agency shall conduct similar investigations of allegations of violations of rules governing licensure of the program.

(b) If an investigation conducted under paragraph (a) results in evidence that the commissioner should deny an application or suspend, revoke, or make conditional a license, the county or private agency shall make that recommendation to the commissioner within ten working days. If the commissioner's determination differs from the county's recommendation, the commissioner must, on the notice of the determination, provide the applicant or license holder with the reasons for the deviation, with specificity and in clear and plain language, as defined in section 256.016.

(c) If an investigation conducted under paragraph (a) does not result in evidence that the commissioner should deny an application or suspend, revoke, or make a conditional license, and the commissioner's determination differs from the county's determination, the commissioner must, on the notice of the determination, provide the applicant or license holder with the reasons for the deviation, with specificity and in clear and plain language, as defined in section 256.016.

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

Sec. 6. **DIRECTION TO COMMISSIONER; CHILD CARE LICENSING REFORM.**

The commissioner of human services shall:

(1) review best practices and related research regarding child care licensing and technical assistance to providers;

(2) review best practices and related research regarding the alignment of child care licensing and technical assistance with other programs and supports related to child care, including but not limited to the Quality Rating and Improvement System and the Child and Adult Food Care Program, in order to maximize available resources and supports and avoid duplication;

(3) review relevant administrative data to assist the commissioner and the legislature with efforts to reform existing child care licensing and technical assistance practices;

(4) establish and implement a stakeholder engagement process to present the commissioner's findings under this section and receive feedback about potential rulemaking and other regulatory reform; and

(5) by January 31, 2019, deliver a report on the commissioner's activities under this section, timeline for child care reforms, and plan for the rulemaking process to the chairs and ranking minority members of the legislative committees with jurisdiction over child care."

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "requiring a report;"

Correct the title numbers accordingly

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

The report was adopted.

Hamilton from the Committee on Agriculture Finance to which was referred:

H. F. No. 3442, A bill for an act relating to agriculture; reducing the minimum production level for advanced biofuel production incentive payments; amending Minnesota Statutes 2016, section 41A.16, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 12, reinstate the stricken language and delete "1,500"

Page 2, after line 4, insert:

"Sec. 2. Minnesota Statutes 2016, section 41A.16, subdivision 2, is amended to read:

Subd. 2. **Payment amounts; limits.** (a) The commissioner shall make payments to eligible producers of advanced biofuel. The amount of the payment for each eligible producer's annual production is \$2.1053 per MMBtu for advanced biofuel production from cellulosic biomass, and \$1.053 per MMBtu for advanced biofuel production from sugar ~~or~~, starch, oil, or animal fat at a specific location for ten years after the start of production.

(b) Total payments under this section to an eligible biofuel producer in a fiscal year may not exceed the amount necessary for 2,850,000 MMBtu of biofuel production. Total payments under this section to all eligible biofuel producers in a fiscal year may not exceed the amount necessary for 17,100,000 MMBtu of biofuel production. The commissioner shall award payments on a first-come, first-served basis within the limits of available funding.

(c) For purposes of this section, an entity that holds a controlling interest in more than one advanced biofuel facility is considered a single eligible producer.

Sec. 3. Minnesota Statutes 2016, section 41A.17, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this program must source at least 80 percent biobased content from Minnesota. If a facility is sited 50 miles or less from the state border, biobased content must be sourced from within a 100-mile radius. Biobased content must be from agricultural or forestry sources or from solid waste. The facility must be located in Minnesota, must begin production at a specific location by June 30, 2025, and must not begin production of ~~750,000~~ 250,000 pounds of chemicals quarterly before January 1, 2015. Eligible facilities include existing companies and facilities that are adding production capacity, or retrofitting existing capacity, as well as new companies and facilities. Eligible renewable chemical facilities must produce at least ~~750,000~~ 250,000 pounds of renewable chemicals quarterly. Renewable chemicals produced through processes that are fully commercial before January 1, 2000, are not eligible.

(b) No payments shall be made for renewable chemical production that occurs after June 30, 2035, for those eligible renewable chemical producers under paragraph (a).

(c) An eligible producer of renewable chemicals shall not transfer the producer's eligibility for payments under this section to a renewable chemical facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Advanced biofuel production for which payment has been received under section 41A.16, and biomass thermal production for which payment has been received under section 41A.18, are not eligible for payment under this section."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before the semicolon and insert "reducing the quarterly minimum production level for advanced biofuel production incentive payments; expanding the options for ingredients allowed to be used in advanced biofuel production to qualify for incentive payments; reducing the minimum production level for renewable chemical production incentive"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 3451, A bill for an act relating to human services; directing the commissioner of human services to allow brain injury and community access for disability inclusion waivers customized living services provider to transfer capacity to up to three other housing with services settings located in Hennepin County.

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3477, A bill for an act relating to local government; authorizing designation of Purple Heart City or a Purple Heart County; proposing coding for new law in Minnesota Statutes, chapter 197.

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

The report was adopted.

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

H. F. No. 3536, A bill for an act relating to health occupations; eliminating the term limits for Physician Assistant Advisory Council members; amending Minnesota Statutes 2016, section 147A.27, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

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

H. F. No. 3552, A bill for an act relating to real property; modifying the definition of residential use under the Minnesota Common Interest Ownership Act; amending Minnesota Statutes 2016, section 515B.4-111; Minnesota Statutes 2017 Supplement, section 515B.1-103.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 515B.1-102, is amended to read:

515B.1-102 APPLICABILITY.

(a) Except as provided in this section, this chapter, and not chapters 515 and 515A, applies to all common interest communities created within this state on and after June 1, 1994.

(b) The applicability of this chapter to common interest communities created prior to June 1, 1994, shall be as follows:

(1) This chapter shall apply to condominiums created under chapter 515A with respect to events and circumstances occurring on and after June 1, 1994; provided (i) that this chapter shall not invalidate the declarations, bylaws or condominium plats of those condominiums, and (ii) that chapter 515A, and not this chapter, shall govern all rights and obligations of a declarant of a condominium created under chapter 515A, and the rights and claims of unit owners against that declarant.

(2) The following sections in this chapter apply to condominiums created under chapter 515: 515B.1-104 (Variation by Agreement); 515B.1-105 (Separate Titles and Taxation); 515B.1-106 (Applicability of Local Requirements); 515B.1-107 (Eminent Domain); 515B.1-108 (This Chapter Prevails; Supplemental Law); 515B.1-109 (Construction Against Implicit Repeal); 515B.1-112 (Unconscionable Agreement or Term of Contract);

515B.1-113 (Obligation of Good Faith); 515B.1-114 (Remedies to be Liberally Administered); 515B.1-115 (Notice); 515B.1-116 (Recording); 515B.2-103 (Construction and Validity of Declaration and Bylaws); 515B.2-104 (Description of Units); 515B.2-108(d) (Allocation of Interests); 515B.2-109(f) (Common Elements and Limited Common Elements); 515B.2-112 (Subdivision, Combination, or Conversion of Units); 515B.2-113 (Alteration of Units); 515B.2-114 (Relocation of Boundaries Between Adjoining Units); 515B.2-115 (Minor Variations in Boundaries); 515B.2-118 (Amendment of Declaration); 515B.2-119 (Termination of Common Interest Community); 515B.3-102 (Powers of Unit Owners' Association); 515B.3-103(a), (b), and (g) (Board of Directors, Officers, and Declarant Control); 515B.3-107 (Upkeep of Common Interest Community); 515B.3-108 (Meetings); 515B.3-109 (Quorums); 515B.3-110 (Voting; Proxies); 515B.3-111 (Tort and Contract Liability); 515B.3-112 (Conveyance of, or Creation of Security Interests in, Common Elements); 515B.3-113 (Insurance); 515B.3-114 (Replacement Reserves); 515B.3-115(c), (e), (f), (g), (h), and (i) (Assessments for Common Expenses); 515B.3-116 (Lien for Assessments); 515B.3-117 (Other Liens); 515B.3-118 (Association Records); 515B.3-119 (Association as Trustee); 515B.3-121 (Accounting Controls); 515B.4-107 (Resale of Units); 515B.4-108 (Purchaser's Right to Cancel Resale); and 515B.4-116 (Rights of Action; Attorney's Fees). Section 515B.1-103 (Definitions) shall apply to the extent necessary in construing any of the sections referenced in this section. Sections 515B.1-105, 515B.1-106, 515B.1-107, 515B.1-116, 515B.2-103, 515B.2-104, 515B.2-118, 515B.3-102, 515B.3-110, 515B.3-111, 515B.3-113, 515B.3-116, 515B.3-117, 515B.3-118, 515B.3-121, 515B.4-107, 515B.4-108, and 515B.4-116 apply only with respect to events and circumstances occurring on and after June 1, 1994. All other sections referenced in this section apply only with respect to events and circumstances occurring after July 31, 1999. A section referenced in this section does not invalidate the declarations, bylaws or condominium plats of condominiums created before August 1, 1999. But all sections referenced in this section prevail over the declarations, bylaws, CIC plats, rules and regulations under them, of condominiums created before August 1, 1999, except to the extent that this chapter defers to the declarations, bylaws, CIC plats, or rules and regulations issued under them.

(3) This chapter shall not apply to cooperatives and planned communities created prior to June 1, 1994, or to planned communities that were created on or after June 1, 1994, and before August 1, 2006, and that consist of more than two but fewer than 13 units; except by election pursuant to subsection (d), and except that sections 515B.1-116, subsections (a), (c), (d), and (e), 515B.4-107, and 515B.4-108, apply to all planned communities and cooperatives regardless of when they are created, unless they are exempt under subsection (e).

(c) This chapter shall not invalidate any amendment to the declaration, bylaws or condominium plat of any condominium created under chapter 515 or 515A if the amendment was recorded before June 1, 1994. Any amendment recorded on or after June 1, 1994, shall be adopted in conformity with the procedures and requirements specified by those instruments and by this chapter. If the amendment grants to any person any rights, powers or privileges permitted by this chapter, all correlative obligations, liabilities and restrictions contained in this chapter shall also apply to that person.

(d) Any condominium created under chapter 515, any planned community or cooperative which would be exempt from this chapter under subsection (e), or any planned community or cooperative created prior to June 1, 1994, or any planned community that was created on or after June 1, 1994, and prior to August 1, 2006, and that consists of more than two but fewer than 13 units, may elect to be subject to this chapter, as follows:

(1) The election shall be accomplished by recording a declaration or amended declaration, and a new or amended CIC plat where required, and by approving bylaws or amended bylaws, which conform to the requirements of this chapter, and which, in the case of amendments, are adopted in conformity with the procedures and requirements specified by the existing declaration and bylaws of the common interest community, and by any applicable statutes.

(2) In a condominium, the preexisting condominium plat shall be the CIC plat and an amended CIC plat shall be required only if the amended declaration or bylaws contain provisions inconsistent with the preexisting condominium plat. The condominium's CIC number shall be the apartment ownership number or condominium

number originally assigned to it by the recording officer. In a cooperative in which the unit owners' interests are characterized as real estate, a CIC plat shall be required. In a planned community, the preexisting plat or registered land survey recorded pursuant to chapter 505, 508, or 508A, or the part of the plat or registered land survey upon which the common interest community is located, shall be the CIC plat.

(3) The amendment shall comply with section 515B.2-118(a)(3) and (c); except that the unanimous consent of the unit owners shall not be required for (i) a clarification of the unit boundary description if the clarified boundary description is substantially consistent with the preexisting CIC plat, or (ii) changes from common elements to limited common elements that occur by operation of section 515B.2-109(c) and (d).

(4) Except as permitted by paragraph (3), no declarant, affiliate of declarant, association, master association nor unit owner may acquire, increase, waive, reduce or revoke any previously existing warranty rights or causes of action that one of said persons has against any other of said persons by reason of exercising the right of election under this subsection.

(5) A common interest community which elects to be subject to this chapter may, as a part of the election process, change its form of ownership by complying with section 515B.2-123.

(e) Except as otherwise provided in this subsection, this chapter shall not apply, except by election pursuant to subsection (d), to the following:

(1) a planned community which consists of two units, which utilizes a CIC plat complying with section 515B.2-110(d)(1) and (2), or section 515B.2-1101(d)(1) and (2), which is not subject to any rights to subdivide or convert units or to add additional real estate, and which is not subject to a master association;

(2) a common interest community that consists solely of platted lots or other separate parcels of real estate designed or utilized for detached single family dwellings or agricultural purposes, with or without common property, where no association or master association has an obligation to maintain any building containing a dwelling or any agricultural building located or to be located on such platted lots or parcels; except that section 515B.4-101(e) shall apply to the sale of such platted lots or parcels of real estate if the common interest community is or will be subject to a master declaration;

(3) a cooperative where, at the time of creation of the cooperative, the unit owners' interests in the dwellings as described in the declaration consist solely of proprietary leases having an unexpired term of fewer than 20 years, including renewal options;

(4) planned communities utilizing a CIC plat complying with section 515B.2-110(d)(1) and (2), or section 515B.2-1101(d)(1) and (2), and cooperatives, which are limited by the declaration to nonresidential uses ~~alone or in combination with residential rental uses in which individual dwellings do not constitute units or other separate parcels of real estate~~; or

(5) real estate subject only to an instrument or instruments filed primarily for the purpose of creating or modifying rights with respect to access, utilities, parking, ditches, drainage, or irrigation.

(f) Section 515B.4-101(e) applies to any platted lot or other parcel of real estate that is subject to a master declaration and is not subject to or is exempt from this chapter.

(g) Section 515B.1-106 shall apply to all common interest communities.

(h) Sections 515B.1-103(33a), 515B.2-110, 515B.3-105, 515B.3-115, 515B.4-102, and 515B.4-115 apply only to common interest communities created before August 1, 2010. Sections 515B.1-103(33b), 515B.2-1101, 515B.3-1051, 515B.3-1151, 515B.4-1021, and 515B.4-1151 apply only to common interest communities created on or after August 1, 2010.

(i) Section 515B.3-114 applies to common interest communities only for the association's fiscal years commencing before January 1, 2012. Section 515B.3-1141 applies to common interest communities only for the association's fiscal years commencing on or after January 1, 2012.

(j) Section 515B.3-104 applies only to transfers of special declarant rights that are effective before August 1, 2010. Section 515B.3-1041, subsections (a) through (i), apply only to transfers of special declarant rights that are effective on or after August 1, 2010. Section 515B.3-1041, subsections (j) and (k), apply only to special declarant rights reserved in a declaration that is first recorded on or after August 1, 2010.

Sec. 2. Minnesota Statutes 2017 Supplement, section 515B.1-103, is amended to read:

515B.1-103 DEFINITIONS.

In the declaration and bylaws, unless specifically provided otherwise or the context otherwise requires, and in this chapter:

(1) "Additional real estate" means real estate that may be added to a flexible common interest community.

(2) "Affiliate of a declarant" means any person who controls, is controlled by, or is under common control with a declarant.

(A) A person "controls" a declarant if the person (i) is a general partner, officer, director, or employer of the declarant, (ii) directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing, more than 20 percent of the voting interest in the declarant, (iii) controls in any manner the election of a majority of the directors of the declarant, or (iv) has contributed more than 20 percent of the capital of the declarant.

(B) A person "is controlled by" a declarant if the declarant (i) is a general partner, officer, director, or employer of the person, (ii) directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing, more than 20 percent of the voting interest in the person, (iii) controls in any manner the election of a majority of the directors of the person, or (iv) has contributed more than 20 percent of the capital of the person.

(C) Control does not exist if the powers described in this subsection are held solely as a security interest and have not been exercised.

(3) "Allocated interests" means the following interests allocated to each unit: (i) in a condominium, the undivided interest in the common elements, the common expense liability, and votes in the association; (ii) in a cooperative, the common expense liability and the ownership interest and votes in the association; and (iii) in a planned community, the common expense liability and votes in the association.

(4) "Association" means the unit owners' association organized under section 515B.3-101.

(5) "Board" means the body, regardless of name, designated in the articles of incorporation, bylaws or declaration to act on behalf of the association, or on behalf of a master association when so identified.

(6) "CIC plat" means a common interest community plat described in section 515B.2-110.

(7) "Common elements" means all portions of the common interest community other than the units.

(8) "Common expenses" means expenditures made or liabilities incurred by or on behalf of the association, or master association when so identified, together with any allocations to reserves.

(9) "Common expense liability" means the liability for common expenses allocated to each unit pursuant to section 515B.2-108.

(10) "Common interest community" or "CIC" means contiguous or noncontiguous real estate within Minnesota that is subject to an instrument which obligates persons owning a separately described parcel of the real estate, or occupying a part of the real estate pursuant to a proprietary lease, by reason of their ownership or occupancy, to pay for (i) real estate taxes levied against; (ii) insurance premiums payable with respect to; (iii) maintenance of; or (iv) construction, maintenance, repair or replacement of improvements located on, one or more parcels or parts of the real estate other than the parcel or part that the person owns or occupies. Real estate which satisfies the definition of a common interest community is a common interest community whether or not it is subject to this chapter. Real estate subject to a master declaration, regardless of when the master declaration was recorded, shall not collectively constitute a separate common interest community unless so stated in the master declaration.

(11) "Condominium" means a common interest community in which (i) portions of the real estate are designated as units, (ii) the remainder of the real estate is designated for common ownership solely by the owners of the units, and (iii) undivided interests in the common elements are vested in the unit owners.

(11a) "Construction defect claim" means a civil action or an arbitration proceeding based on any legal theory including, but not limited to, claims under chapter 327A for damages, indemnity, or contribution brought against a development party to assert a claim, counterclaim, cross-claim, or third-party claim for damages or loss to, or the loss of use of, real or personal property caused by a defect in the initial design or construction of an improvement to real property that is part of a common interest community, including an improvement that is constructed on additional real estate pursuant to section 515B.2-111. "Construction defect claim" does not include claims related to subsequent maintenance, repairs, alterations, or modifications to, or the addition of, improvements that are part of the common interest community, and that are contracted for by the association or a unit owner.

(12) "Conversion property" means real estate on which is located a building that at any time within two years before creation of the common interest community was occupied, in whole or in part, for (i) residential use ~~wholly or partially~~ or (ii) for residential rental purposes by persons other than purchasers and persons who occupy with the consent of purchasers.

(13) "Cooperative" means a common interest community in which the real estate is owned by an association, each of whose members is entitled to a proprietary lease by virtue of the member's ownership interest in the association.

(14) "Dealer" means a person in the business of selling units for the person's own account.

(15) "Declarant" means:

(i) if the common interest community has been created, (A) any person who has executed a declaration, or a supplemental declaration or amendment to a declaration adding additional real estate, except secured parties, a spouse holding only an inchoate interest, persons whose interests in the real estate will not be transferred to unit owners, or, in the case of a leasehold common interest community, a lessor who possesses no special declarant rights and who is not an affiliate of a declarant who possesses special declarant rights, or (B) any person who reserves, or succeeds under section 515B.3-104 to any special declarant rights; ~~or~~

(ii) any person or persons acting in concert who have offered prior to creation of the common interest community to transfer their interest in a unit to be created and not previously transferred; or

(iii) if (A) a unit has been restricted to nonresidential use and sold to a purchaser who has agreed to modify or waive, in whole or in part, sections 515B.4-101 to 515B.4-118, and (B) the restriction expires or is modified or terminated such that residential use of the unit is permitted, the unit owner at the time the restriction expires or is so modified or terminated is a declarant with respect to that unit and any improvements subject to use rights by a purchaser of the unit.

(16) "Declaration" means any instrument, however denominated, that creates a common interest community.

(16a) "Development party" means an architect, contractor, construction manager, subcontractor, developer, declarant, engineer, or private inspector performing or furnishing the design, supervision, inspection, construction, coordination, or observation of the construction of any improvement to real property that is part of a common interest community, or any of the person's affiliates, officers, directors, shareholders, members, or employees.

(17) "Dispose" or "disposition" means a voluntary transfer to a purchaser of any legal or equitable interest in the common interest community, but the term does not include the transfer or release of a security interest.

(18) "Flexible common interest community" means a common interest community to which additional real estate may be added.

(19) "Leasehold common interest community" means a common interest community in which all or a portion of the real estate is subject to a lease the expiration or termination of which will terminate the common interest community or reduce its size.

(20) "Limited common element" means a portion of the common elements allocated by the declaration or by operation of section 515B.2-109(c) or (d) for the exclusive use of one or more but fewer than all of the units.

(21) "Master association" means an entity created on or after June 1, 1994, that directly or indirectly exercises any of the powers set forth in section 515B.3-102 on behalf of one or more members described in section 515B.2-121(b), (i), (ii) or (iii), whether or not it also exercises those powers on behalf of one or more property owners' associations described in section 515B.2-121(b)(iv). A person (i) hired by an association to perform maintenance, repair, accounting, bookkeeping or management services, or (ii) granted authority under an instrument recorded primarily for the purpose of creating rights or obligations with respect to utilities, access, drainage, or recreational amenities, is not, solely by reason of that relationship, a master association.

(22) "Master declaration" means a written instrument, however named, (i) recorded on or after June 1, 1994, and (ii) complying with section 515B.2-121, subsection (e).

(23) "Master developer" means a person who is designated in the master declaration as a master developer or, in the absence of such a designation, the owner or owners of the real estate subject to the master declaration at the time the master declaration is recorded, except (i) secured parties and (ii) a spouse holding only an inchoate interest. A master developer is not a declarant unless the master declaration states that the real estate subject to the master declaration collectively is or collectively will be a separate common interest community.

(24) "Period of declarant control" means the time period provided for in section 515B.3-103(c) during which the declarant may appoint and remove officers and directors of the association.

(25) "Person" means an individual, corporation, limited liability company, partnership, trustee under a trust, personal representative, guardian, conservator, government, governmental subdivision or agency, or other legal or commercial entity capable of holding title to real estate.

(26) "Planned community" means a common interest community that is not a condominium or a cooperative. A condominium or cooperative may be a part of a planned community.

(27) "Proprietary lease" means an agreement with a cooperative association whereby a member of the association is entitled to exclusive possession of a unit in the cooperative.

(28) "Purchaser" means a person, other than a declarant, who by means of a voluntary transfer acquires a legal or equitable interest in a unit other than (i) a leasehold interest of less than 20 years, including renewal options, or (ii) a security interest.

(29) "Real estate" means any fee simple, leasehold or other estate or interest in, over, or under land, including structures, fixtures, and other improvements and interests that by custom, usage, or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. "Real estate" may include spaces with or without upper or lower boundaries, or spaces without physical boundaries.

(30) "Residential use" means use as a dwelling, whether primary, secondary or seasonal, but not (i) transient use such as hotels or motels-, (ii) use for residential rental purposes if the individual dwellings are not separate units or if the individual dwellings are not located on separate parcels of real estate. For purposes of this chapter, a unit is restricted to nonresidential use if the unit is subject to a restriction that prohibits residential use as defined in this section whether or not the restriction also prohibits the uses described in this paragraph.

(31) "Secured party" means the person owning a security interest as defined in paragraph (32).

(32) "Security interest" means a perfected interest in real estate or personal property, created by contract or conveyance, which secures payment or performance of an obligation. The term includes a mortgagee's interest in a mortgage, a vendor's interest in a contract for deed, a lessor's interest in a lease intended as security, a holder's interest in a sheriff's certificate of sale during the period of redemption, an assignee's interest in an assignment of leases or rents intended as security, in a cooperative, a lender's interest in a member's ownership interest in the association, a pledgee's interest in the pledge of an ownership interest, or any other interest intended as security for an obligation under a written agreement.

(33a) This definition of special declarant rights applies only to common interest communities created before August 1, 2010. "Special declarant rights" means rights reserved in the declaration for the benefit of a declarant to:

(i) complete improvements indicated on the CIC plat, planned by the declarant consistent with the disclosure statement or authorized by the municipality in which the CIC is located;

(ii) add additional real estate to a common interest community;

(iii) subdivide or combine units, or convert units into common elements, limited common elements, or units;

(iv) maintain sales offices, management offices, signs advertising the common interest community, and models;

(v) use easements through the common elements for the purpose of making improvements within the common interest community or any additional real estate;

(vi) create a master association and provide for the exercise of authority by the master association over the common interest community or its unit owners;

(vii) merge or consolidate a common interest community with another common interest community of the same form of ownership; or

(viii) appoint or remove any officer or director of the association, or the master association where applicable, during any period of declarant control.

(33b) This definition of special declarant rights applies only to common interest communities created on or after August 1, 2010. "Special declarant rights" means rights reserved in the declaration for the benefit of a declarant and expressly identified in the declaration as special declarant rights. Such special declarant rights may include but are not limited to the following:

(i) to complete improvements indicated on the CIC plat, planned by the declarant consistent with the disclosure statement or authorized by the municipality in which the common interest community is located, and to have and use easements for itself and its employees, agents, and contractors through the common elements for such purposes;

(ii) to add additional real estate to a common interest community;

(iii) to subdivide or combine units, or convert units into common elements, limited common elements and/or units, pursuant to section 515B.2-112;

(iv) to maintain and use sales offices, management offices, signs advertising the common interest community, and models, and to have and use easements for itself and its employees, agents, and invitees through the common elements for such purposes;

(v) to appoint or remove any officer or director of the association during any period of declarant control;

(vi) to utilize an alternate common expense plan as provided in section 515B.3-115(a)(2);

(vii) to grant common element licenses as provided in section 515B.2-109(e); or

(viii) to review, and approve or disapprove, the exterior design, materials, size, site location, and other exterior features of buildings and other structures, landscaping and other exterior improvements, located within the common interest community, and any modifications or alterations thereto.

Special declarant rights shall not be reserved or utilized for the purpose of evading any limitation or obligation imposed on declarants by this chapter.

(34) "Time share" means a right to occupy a unit or any of several units during three or more separate time periods over a period of at least three years, including renewal options, whether or not coupled with a fee title interest in the common interest community or a specified portion thereof.

(35) "Unit" means a portion of a common interest community the boundaries of which are described in the common interest community's declaration and which is intended for separate ownership, or separate occupancy pursuant to a proprietary lease.

(36) "Unit identifier" means English letters or Arabic numerals, or a combination thereof, which identify only one unit in a common interest community and which meet the requirements of section 515B.2-104.

(37) "Unit owner" means a declarant or other person who owns a unit, a lessee under a proprietary lease, or a lessee of a unit in a leasehold common interest community whose lease expires simultaneously with any lease the expiration or termination of which will remove the unit from the common interest community, but does not include a secured party. In a common interest community, the declarant is the unit owner of a unit until that unit has been conveyed to another person.

Sec. 3. Minnesota Statutes 2016, section 515B.1-106, is amended to read:

515B.1-106 APPLICABILITY OF LOCAL REQUIREMENTS.

(a) Except as provided in subsections (b) and (c), a zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation may not directly or indirectly prohibit the common interest community form of ownership or impose any requirement upon a common interest community, upon the creation or disposition of a common interest community or upon any part of the common interest community conversion process which it would not impose upon a physically similar development under a different form of ownership. Otherwise, no provision of this chapter invalidates or modifies any provision of any zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation.

(b) Subsection (a) shall not apply to any ordinance, rule, regulation, charter provision or contract provision relating to the financing of housing construction, rehabilitation, or purchases provided by or through a housing finance program established and operated pursuant to state or federal law by a state or local agency or local unit of government.

(c) A statutory or home rule charter city, pursuant to an ordinance or charter provision establishing standards to be applied uniformly within its jurisdiction, may prohibit or impose reasonable conditions upon the conversion of buildings occupied wholly or partially for (i) residential use or (ii) residential rental purposes to the common interest community form of ownership only if there exists within the city a significant shortage of suitable rental dwellings available to low and moderate income individuals or families or to establish or maintain the city's eligibility for any federal or state program providing direct or indirect financial assistance for housing to the city. Prior to the adoption of an ordinance pursuant to the authority granted in this subsection, the city shall conduct a public hearing. Any ordinance or charter provision adopted pursuant to this subsection shall not apply to any existing or proposed conversion common interest community (i) for which a bona fide loan commitment for a consideration has been issued by a lender and is in effect on the date of adoption of the ordinance or charter provision, or (ii) for which a notice of conversion or intent to convert required by section 515B.4-111, containing a termination of tenancy, has been given to at least 75 percent of the tenants and subtenants in possession prior to the date of adoption of the ordinance or charter provision.

(d) For purposes of providing marketable title, a statement in the declaration that the common interest community is not subject to an ordinance or that any conditions required under an ordinance have been complied with shall be prima facie evidence that the common interest community was not created in violation of the ordinance.

(e) A violation of an ordinance or charter provision adopted pursuant to the provisions of subsection (b) or (c) shall not affect the validity of a common interest community. This subsection shall not be construed to in any way limit the power of a city to enforce the provisions of an ordinance or charter provision adopted pursuant to subsection (b) or (c).

(f) Any ordinance or charter provision enacted hereunder that prohibits the conversion of buildings to the common interest community form of ownership shall not be effective for a period exceeding 18 months.

Sec. 4. Minnesota Statutes 2016, section 515B.2-113, is amended to read:

515B.2-113 ALTERATION OF UNITS.

(a) Subject to the provisions of the declaration and applicable law, a unit owner may, at the unit owner's expense, make any improvements or alterations to the unit, provided: (i) that they do not impair the structural integrity or mechanical systems, affect the common elements, or impair the support of any portion of the common interest

community; (ii) that prior arrangements are made with the association to ensure that other unit owners are not disturbed; (iii) that the common elements are not damaged; and (iv) that the common elements and other units are protected against mechanics' liens.

(b) Subject to the provisions of applicable law, a unit owner of a unit ~~in residential use~~ that is used as a dwelling, whether primary, secondary, or seasonal, may, at the unit owner's expense, make improvements or alterations to the unit as necessary for the full enjoyment of the unit by any person residing in the unit who has a disability, as provided in the Fair Housing Amendments Act, United States Code, title 42, section 3601, et seq., and the Minnesota Human Rights Act, chapter 363A, and any amendments to those acts. This subsection applies to all common interest communities subject to this chapter, chapter 515, or 515A, notwithstanding any contrary provision of section 515B.1-102.

(c) The declaration, bylaws, rules, and regulations, or agreements with the association may not prohibit the improvements or alterations referred to in subsection (b), but may reasonably regulate the type, style, and quality of the improvements or alterations, as they relate to health, safety, and architectural standards. In addition, improvements or alterations made pursuant to subsection (b) must comply with subsection (a)(i), (ii), (iii), and (iv).

(d) The unit owner's rights under this section may not be waived.

(e) Subsection (b) does not apply to restrictions on improvements or alterations imposed by statute, rule, or ordinance.

(f) Subject to the provisions of the declaration and applicable law, a unit owner may, at the unit owner's expense, after acquiring title to an adjoining unit or an adjoining part of an adjoining unit, with the prior written approval of the association and first mortgagees of the affected units, remove or alter any intervening partition or create apertures therein, even if the partition is part of the common elements, if those acts do not impair the structural integrity or mechanical systems or lessen the support of any portion of the common interest community. The adjoining unit owners shall have the exclusive license to use the space occupied by the removed partition, but the use shall not create an easement or vested right. Removal of partitions or creation of apertures under this subsection is not an alteration of boundaries. The association may require that the owner or owners of units affected replace or restore any removed partition, that the unit owner comply with subsection (a)(i), (ii) and (iii), and that the unit owner pay all fees and costs incurred by the association in connection with the alteration.

Sec. 5. Minnesota Statutes 2016, section 515B.4-111, is amended to read:

515B.4-111 CONVERSION PROPERTY.

(a) A unit owner of a unit ~~occupied for residential use~~ in a common interest community containing conversion property shall not, for a period of one year following the recording of the declaration creating the common interest community, require any occupant ~~of the unit who was residing in the unit at the time the declaration was recorded~~ to vacate the unit unless the unit owner gives notice to the occupant in the manner described in this section. The notice shall be given no later than 120 days before the occupant is required to vacate the unit. The notice shall be sufficient as to all occupants of a unit if it is hand delivered or mailed to the unit to be vacated, addressed to the occupants thereof. If the holder of the lessee's interest in the unit has given the unit owner an address different than that of the unit, then the notice shall also be given to the holder of the lessee's interest at the designated address. The notice shall comply with the following requirements:

(1) The notice shall set forth generally the rights conferred by this section.

(2) The notice shall have attached a form of purchase agreement setting forth the proposed terms of sale of the unit to the holder of the lessee's interest as contemplated by subsection (d) and a statement of any significant restrictions imposed by the declaration on the use and occupancy of the unit.

(3) The notice shall state that the occupants of the ~~residential~~ unit may demand to be given 60 additional days before being required to vacate, if any of them, or any person residing with them, is (i) 62 years of age or older, (ii) a person with a disability as defined in section 268A.01, or (iii) a minor child on the date the notice is given. This demand must be in writing, contain reasonable proof of qualification, and be given to the declarant within 30 days after the notice of conversion is delivered or mailed.

(4) The notice shall be contained in an envelope upon which the following shall be boldly printed: "Notice of Conversion."

(b) Notwithstanding subsection (a), an occupant may be required to vacate a unit upon less than 120 days' notice by reason of nonpayment of rent, utilities or other monetary obligations, violations of law, waste, or conduct that disturbs other occupants' peaceful enjoyment of the premises. The terms of the tenancy may not be altered during the notice period, except that the holder of the lessee's interest or other party in possession may vacate and terminate the tenancy upon one month's written notice to the declarant. Nothing in this section prevents the unit owner and any occupant from agreeing to a right of occupancy on a month-to-month basis beyond the 120-day notice period, or to an earlier termination of the right of occupancy.

(c) No repair work or remodeling may be commenced or undertaken in the occupied units or common areas of the building during the notice period, unless reasonable precautions are taken to ensure the safety and security of the occupants.

(d) For 60 days after delivery or mailing of the notice described in subsection (a), the holder of the lessee's interest in the unit on the date the notice is mailed or delivered shall have an option to purchase that unit on the terms set forth in the purchase agreement attached to the notice. The purchase agreement shall contain no terms or provisions which violate any state or federal law relating to discrimination in housing. If the holder of the lessee's interest fails to sign a binding purchase agreement for the unit during that 60-day period, the unit owner may not offer to dispose of an interest in that unit during the following 180 days at a price or on terms more favorable to the offeree than the price or terms offered to the holder. This subsection and subsection (a)(2) do not apply to any unit in a conversion property if that unit will be restricted exclusively to nonresidential use or if the boundaries of the converted unit do not substantially conform to the boundaries of the residential unit before conversion.

(e) If a unit owner, in violation of subsection (b), conveys a unit to a purchaser for value who has no knowledge of the violation, the recording of the deed conveying the unit or, in a cooperative, the conveyance of the right to possession of the unit, extinguishes any right a holder of a lessee's interest who is not in possession of the unit may have under subsection (d) to purchase that unit, but the conveyance does not affect the right of the holder to recover damages from the unit owner for a violation of subsection (d).

(f) If a notice described in subsection (a) specifies a date by which a unit or proposed unit must be vacated or otherwise complies with the provisions of chapter 504B, the notice also constitutes a notice to vacate specified by that statute.

(g) An occupant of residing in space ~~for residential use~~ in a conversion property shall not have any of the rights set out in this section or under any municipal ordinance if the holder of the lessee's interest in the space received written notice of intent to convert to a common interest community (i) before signing a lease or a lease renewal or before occupying the space and (ii) less than two years before the common interest community is created.

(h) A notice of intent to convert to a common interest community shall identify the conversion property by both legal description and street address and state that (i) the declarant intends to convert the property to a planned community, condominium, or cooperative form of common interest community, specifying the intended form, and (ii) persons entering into leases subsequent to the receipt of the notice of intent to convert will not have the rights available to an occupant or a person holding the lessee's interest under this section.

(i) Nothing in this section permits a unit owner to terminate a lease in violation of its terms.

(j) Failure to give notice as required by subsection (a) is a defense to an action for possession."

Correct the title numbers accordingly

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3570, A bill for an act relating to state government; modifying duties of the Office of MN.IT Services; requiring legislation to recodify Minnesota Statutes, chapter 16E.

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

The report was adopted.

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

H. F. No. 3577, A bill for an act relating to environment; establishing certified salt applicator program; limiting liability; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 2, delete subdivision 3 and insert:

"Subd. 3. **Liability.** (a) A commercial applicator certified under this section; the owner, occupant, or lessee of real property maintained by a certified commercial applicator; or an employee of that owner, occupant, or lessee who is certified under this section is not civilly liable for any claim based on a snow or ice condition arising out of the implementation of the best management practices developed by the commissioner under this section even if there is actual notice of the snow or ice condition, except when the snow or ice condition is affirmatively caused by the willful or reckless acts of the certified commercial applicator or the employee of the owner, occupant, or lessee who is certified under this section. Commercial applicators certified under this section; the owner, occupants, or lessees of land maintained by a certified commercial applicator; and an employee of that owner, occupant, or lessee who is certified under this section are presumed to be acting pursuant to the best management practices developed by the commissioner under this section.

(b) To receive the immunity protection under paragraph (a), and not for any other purpose, the commercial applicator, or the employee of the owner, occupant, or lessee, must have a current certification, pass an exam, complete the winter maintenance assessment tool requirements developed by the commissioner, and keep a written

record describing the road, parking lot, and property maintenance practices used. The written record must include the type and rate of application of deicing materials used, the dates of treatment, and the weather conditions for each event requiring deicing. The records must be kept for a minimum of six years.

(c) The liability of a commercial applicator who applies deicer but is not certified under this section may not be determined under the standards provided in this subdivision."

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3608, A bill for an act relating to local government; modifying Hennepin County competitive bidding; amending Minnesota Statutes 2016, section 383B.145, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 3612, A bill for an act relating to human services; directing the commissioners of human services and employment and economic development to review certain data related to federal SNAP waivers.

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

The report was adopted.

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

H. F. No. 3622, A bill for an act relating to insurance; changing accreditation and certification requirements for reinsurers; amending Minnesota Statutes 2016, sections 13.7191, by adding a subdivision; 60A.092; 60A.093; 60A.096; 60A.097; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

The report was adopted.

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

H. F. No. 3640, A bill for an act relating to health; modifying temporary license suspensions and background checks for certain health-related professions; amending Minnesota Statutes 2016, sections 214.075, subdivisions 1, 4, 5, 6; 214.077; 214.10, subdivision 8; Minnesota Statutes 2017 Supplement, section 364.09; repealing Minnesota Statutes 2016, section 214.075, subdivision 8.

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3664, A bill for an act relating to cosmetology; exempting hair braiders from cosmetology registration requirements; amending Minnesota Statutes 2016, sections 155A.25, subdivision 1a; 155A.28, by adding subdivisions; repealing Minnesota Statutes 2016, section 155A.28, subdivisions 1, 3, 4.

Reported the same back with the following amendments:

Page 3, delete section 3

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 3676, A bill for an act relating to public safety; creating reimbursement grants for audits of the physical security of public school campuses.

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

The report was adopted.

Johnson, B., from the Committee on Public Safety and Security Policy and Finance to which was referred:

H. F. No. 3707, A bill for an act relating to public safety; modifying the definition of sexual abuse; amending Minnesota Statutes 2017 Supplement, section 626.556, subdivision 2.

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

The report was adopted.

O'Driscoll from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 3721, A bill for an act relating to attorney general; prohibiting contingent fee arrangements with outside counsel; amending Minnesota Statutes 2016, section 8.065; repealing Minnesota Statutes 2016, section 8.10.

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

The report was adopted.

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

H. F. No. 3722, A bill for an act relating to human services; requiring commissioner of human services to seek a federal waiver to establish a work and community engagement requirement for certain medical assistance enrollees.

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

The report was adopted.

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

H. F. No. 3725, A bill for an act relating to forfeiture; providing for criminal forfeiture; limiting participation in the federal equitable sharing program; eliminating administrative forfeiture; amending Minnesota Statutes 2016, sections 84.7741, subdivisions 7, 9, 10, 11; 169A.63, subdivisions 3, 5, 6, 9, 10, 11; 609.531, subdivisions 1, 1a, 4, 5, 6a, 8, by adding subdivisions; 609.5312, subdivisions 3, 4; 609.5313; 609.5315, subdivisions 1, 5, 5a, 5b; 609.5318, subdivisions 2, 4; 609B.515; 611.32, subdivision 2; Minnesota Statutes 2017 Supplement, sections 169A.63, subdivisions 1, 7; 609.5315, subdivision 5c; repealing Minnesota Statutes 2016, sections 84.7741, subdivision 8; 169A.63, subdivision 8; 609.531, subdivision 7; 609.5314; 609.5315, subdivisions 2, 3; 609.5318, subdivision 3.

Reported the same back with the following amendments:

Page 12, line 30, after "purchaser" insert "who made the purchase (1)" and after "title" insert a comma and after "and" insert "(2)"

Page 15, line 8, after "conviction" insert "for the criminal offense related to the action for forfeiture"

Page 21, after line 5, insert:

"Sec. 20. **EFFECTIVE DATE.**

This article is effective August 1, 2019."

Page 26, line 3, strike "subdivision 7, paragraph (d)" and insert "section 609.5313, subdivision 6"

Page 28, after line 2, insert:

"Sec. 10. **EFFECTIVE DATE.**

This article is effective August 1, 2019."

Page 30, line 2, strike "subdivision"

Page 30, line 3, strike "7, paragraph (d)" and insert "section 609.5313, subdivision 6"

Page 32, after line 31, insert:

"Sec. 8. **EFFECTIVE DATE.**

This article is effective August 1, 2019."

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

The report was adopted.

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

H. F. No. 3763, A bill for an act relating to economic development; limiting use of funds in the Douglas J. Johnson economic protection trust fund; amending Minnesota Statutes 2017 Supplement, section 298.292, subdivision 2.

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

The report was adopted.

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

H. F. No. 3766, A bill for an act relating to capital investment; appropriating money for the National Sports Center in Blaine; authorizing the sale and issuance of state bonds.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Capital Investment without further recommendation.

The report was adopted.

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

H. F. No. 3819, A bill for an act relating to local government; discontinuing Ramsey Soil and Water Conservation District; transferring duties; proposing coding for new law in Minnesota Statutes, chapter 383A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

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

H. F. No. 3824, A bill for an act relating to health; changing provisions for wells and borings; amending Minnesota Statutes 2016, section 103I.301, subdivisions 3, 6; Minnesota Statutes 2017 Supplement, sections 103I.005, subdivisions 2, 17a; 103I.205, subdivisions 1, 4; 103I.208, subdivision 1; 103I.235, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 17, delete "time" and insert "start"

Page 2, line 4, delete "and"

Page 2, line 5, delete the period and insert "; or"

Page 2, after line 5, insert:

"(5) collect samples of geologic materials for testing or classification, or soil vapors for testing or extraction."

Page 4, line 29, delete "environmental"

Page 5, delete section 7

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 3856, A bill for an act relating to health; limiting well notification fees in certain circumstances; amending Minnesota Statutes 2017 Supplement, sections 103I.208, subdivision 1; 103I.601, subdivision 4.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2017 Supplement, section 103I.005, subdivision 8a, is amended to read:

Subd. 8a. **Environmental well.** "Environmental well" means an excavation 15 or more feet in depth that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed to:

(1) conduct physical, chemical, or biological testing of groundwater, and includes a groundwater quality monitoring or sampling well;

(2) lower a groundwater level to control or remove contamination in groundwater, and includes a remedial well and excludes horizontal trenches; or

(3) monitor or measure physical, chemical, radiological, or biological parameters of the earth and earth fluids, or for vapor recovery or venting systems. An environmental well includes an excavation used to:

(i) measure groundwater levels, including a piezometer;

(ii) determine groundwater flow direction or velocity;

(iii) measure earth properties such as hydraulic conductivity, bearing capacity, or resistance;

(iv) obtain samples of geologic materials for testing or classification; or

(v) remove or remediate pollution or contamination from groundwater or soil through the use of a vent, vapor recovery system, or sparge point.

An environmental well does not include an exploratory boring."

Page 2, line 10, after "map" insert "on a single sheet of paper that is eight and one-half by 11 inches in size and"

Amend the title as follows:

Page 1, line 2, delete "limiting well notification fees in certain circumstances" and insert "modifying provisions pertaining to wells and borings"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

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

H. F. No. 3885, A bill for an act relating to public safety; appropriating money for public school security audits.

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

The report was adopted.

Johnson, B., from the Committee on Public Safety and Security Policy and Finance to which was referred:

H. F. No. 3924, A bill for an act relating to public safety; revoking snowmobile or all-terrain vehicle privileges following a conviction for driving under the influence; amending Minnesota Statutes 2017 Supplement, sections 84.91, subdivision 1; 169A.07.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2475, 2940, 3056, 3172, 3253, 3356, 3374, 3403, 3442, 3477, 3552, 3608, 3622 and 3763 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Gunther and Petersburg introduced:

H. F. No. 4141, A bill for an act relating to education; authorizing school districts to use long-term facilities maintenance revenue for projects that increase the safety and security of school facilities; establishing a supplemental aid program to pay a portion of the costs for school district projects that increase the safety and security of school facilities; amending Minnesota Statutes 2016, section 123B.595, subdivision 7, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Finance.

Urdahl introduced:

H. F. No. 4142, A bill for an act relating to education finance; providing incentive grants for character development education; appropriating money.

The bill was read for the first time and referred to the Committee on Education Finance.

Poston and Dean, M., introduced:

H. F. No. 4143, A bill for an act relating to health; insurance; requiring coverage for ectodermal dysplasia; proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Kiel, Fabian, Bliss, Green and Layman introduced:

H. F. No. 4144, A bill for an act relating to taxation; property; requiring the commissioner of revenue to study adequacy of valuation of pipeline companies.

The bill was read for the first time and referred to the Committee on Taxes.

Hansen introduced:

H. F. No. 4145, A bill for an act relating to economic development; appropriating money for a grant to an economically depressed city.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Daniels introduced:

H. F. No. 4146, A bill for an act relating to capital investment; appropriating money for asset preservation at the Minnesota State Academies; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on State Government Finance.

Mariani and Baker introduced:

H. F. No. 4147, A bill for an act relating to capital investment; appropriating money for construction of CLUES Education and Technology Institute.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Loeffler; Dehn, R.; Lee and Wagenius introduced:

H. F. No. 4148, A bill for an act relating to capital investment; appropriating money for Mississippi River habitat restoration and public water access in the city of Minneapolis; authorizing the sale and issuance of state bonds.

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

Baker introduced:

H. F. No. 4149, A bill for an act relating to capital investment; appropriating money for restoration of Grass Lake prairie wetland basin; authorizing the sale and issuance of state bonds.

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

Baker introduced:

H. F. No. 4150, A bill for an act relating to capital investment; modifying permitted use of a prior appropriation for the Willmar Wye project; amending Laws 2015, First Special Session chapter 5, article 1, section 10, subdivision 3, as amended.

The bill was read for the first time and referred to the Committee on Capital Investment.

Dehn, R., and Lee introduced:

H. F. No. 4151, A bill for an act relating to corrections; establishing the Peace of Hope Transit Rides pilot project to provide family unity for incarcerated persons and reduce recidivism; appropriating money.

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

Nash; Fenton; Loonan; Anderson, S., and Drazkowski introduced:

H. F. No. 4152, A bill for an act relating to liquor; authorizing the issuance of an off-sale intoxicating liquor license to food retailers; amending Minnesota Statutes 2016, sections 340A.101, by adding a subdivision; 340A.405, subdivision 1; 340A.412, subdivision 3, by adding a subdivision; 340A.413, subdivision 5; 340A.503, subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

O'Driscoll and Nelson introduced:

H. F. No. 4153, A bill for an act relating to elections; modifying requirements related to the voting system grant account; appropriating money to the account; amending Minnesota Statutes 2017 Supplement, section 206.95, subdivision 4.

The bill was read for the first time and referred to the Committee on State Government Finance.

O'Driscoll and Nelson introduced:

H. F. No. 4154, A bill for an act relating to elections; appropriating money for the purpose of modernizing, securing, and updating the statewide voter registration system.

The bill was read for the first time and referred to the Committee on State Government Finance.

Maye Quade introduced:

H. F. No. 4155, A bill for an act relating to transit; requiring equivalent Metro Mobility service throughout the transit taxing district; appropriating money; amending Minnesota Statutes 2016, section 473.386, subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Schultz; Olson; Murphy, M.; Uglem; Albright and Metsa introduced:

H. F. No. 4156, A bill for an act relating to capital investment; appropriating money for renovation of the historic Glensheen estate; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Higher Education and Career Readiness Policy and Finance.

Quam introduced:

H. F. No. 4157, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

The bill was read for the first time and referred to the Committee on Ways and Means.

Anderson, P., introduced:

H. F. No. 4158, A bill for an act relating to transportation; establishing a grant program to finance railroad grade separation projects on trunk highways; proposing coding for new law in Minnesota Statutes, chapter 219.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Zerwas and Hilstrom introduced:

H. F. No. 4159, A bill for an act relating to public safety; appropriating money to address alternatives to juvenile detention throughout the state.

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

Torkelson introduced:

H. F. No. 4160, A bill for an act relating to public safety; creating a fund in the state treasury; making technical and conforming changes; amending Minnesota Statutes 2016, sections 168A.29, subdivision 1; 299A.705; Minnesota Statutes 2017 Supplement, section 171.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2016, section 168.013, subdivision 21.

The bill was read for the first time and referred to the Committee on Transportation Finance.

McDonald introduced:

H. F. No. 4161, A bill for an act relating to state government; requiring contractors for certain state contracts to verify work hours using automated software; amending Minnesota Statutes 2016, section 16C.08, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Fischer introduced:

H. F. No. 4162, A bill for an act relating to retirement; Maplewood Firefighters Relief Association; modifying distribution requirements; requiring dissolution.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Slocum introduced:

H. F. No. 4163, A bill for an act relating to education; amending the notice process to students and parents of the right to opt out of having the student's contact information shared with military recruiters; amending Minnesota Statutes 2016, section 13.32, subdivision 5a.

The bill was read for the first time and referred to the Veterans Affairs Division.

Metsa introduced:

H. F. No. 4164, A bill for an act relating to transportation; designating the bridge over U.S. Highway 53 in the city of Eveleth as Specialist Noah Pierce Bridge; amending Minnesota Statutes 2016, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Veterans Affairs Division.

Lee introduced:

H. F. No. 4165, A bill for an act relating to children; permitting legal parent to petition for reestablishment of the legal parent and child relationship; amending Minnesota Statutes 2016, section 260C.329, subdivisions 3, 7, 8; repealing Minnesota Statutes 2016, section 260C.329, subdivision 5.

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy.

Howe introduced:

H. F. No. 4166, A bill for an act relating to data practices; classifying certain inactive criminal investigative data as private data; amending Minnesota Statutes 2016, section 13.82, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy.

Gunther introduced:

H. F. No. 4167, A bill for an act relating to legacy; modifying requirements for lands acquired with money from outdoor heritage fund; amending Minnesota Statutes 2016, section 97A.056, subdivisions 1, 15.

The bill was read for the first time and referred to the Committee on Legacy Funding Finance.

Gunther introduced:

H. F. No. 4168, A bill for an act relating to legacy; modifying requirements for restoration evaluations from parks and trails fund; amending Minnesota Statutes 2016, section 85.53, subdivision 5.

The bill was read for the first time and referred to the Committee on Legacy Funding Finance.

Schomacker introduced:

H. F. No. 4169, A bill for an act relating to health occupations; creating a Nurse Licensure Compact; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Swedzinski, Garofalo, Hamilton, Torkelson, Ecklund, Kiel, Fabian and Poppe introduced:

H. F. No. 4170, A bill for an act relating to environment; prohibiting use of ambient air quality standards as individual facility standards; specifying requirements for documenting proposals to implement pollution standards more stringent than comparable federal standards; amending Minnesota Statutes 2016, section 116.07, subdivision 2.

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

Franke and Anselmo introduced:

H. F. No. 4171, A bill for an act relating to public safety; requiring the reporting of stolen or lost firearms; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

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

Zerwas and Ward introduced:

H. F. No. 4172, A bill for an act relating to public safety; appropriating money for youth intervention programs.

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

Dettmer introduced:

H. F. No. 4173, A bill for an act relating to capital investment; appropriating money for the predesign and design of the Gateway Trail from William O'Brien State Park to the city of Scandia and for connections within the park; authorizing the sale and issuance of state bonds.

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

Poston introduced:

H. F. No. 4174, A bill for an act relating to transportation; designating a segment of marked Trunk Highway 210 in Cass County as State Trooper Ray Krueger Memorial Highway; amending Minnesota Statutes 2016, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy.

Sauke; Marquart; Poppe; Hornstein; Carlson, A.; Koegel; Rosenthal; Johnson, C.; Lillie and Fischer introduced:

H. F. No. 4175, A bill for an act relating to taxation; property; creating a new property classification for in-home day care facilities; amending Minnesota Statutes 2016, section 273.124, subdivision 1; Minnesota Statutes 2017 Supplement, section 273.13, subdivision 22.

The bill was read for the first time and referred to the Committee on Taxes.

Drazkowski introduced:

H. F. No. 4176, A bill for an act relating to game and fish; modifying requirements for certain deer licenses and permits; amending Minnesota Statutes 2016, sections 97A.441, subdivision 7; 97B.301, subdivision 4.

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

Flanagan, Youakim, Kunesh-Podein and Ecklund introduced:

H. F. No. 4177, A bill for an act relating to retirement; Teachers Retirement Association; coverage election for Minnesota State employee not offered a coverage election.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Applebaum introduced:

H. F. No. 4178, A bill for an act relating to insurance; regulating liability coverage; providing the right of direct action; proposing coding for new law in Minnesota Statutes, chapter 60A.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Mahoney; Omar; Johnson, S., and Hamilton introduced:

H. F. No. 4179, A bill for an act relating to economic development; appropriating money for a grant to African Economic Development Solutions (AEDS).

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Garofalo introduced:

H. F. No. 4180, A bill for an act relating to broadband; making certain satellite broadband providers eligible for grants; amending Minnesota Statutes 2016, sections 116J.394; 116J.395, subdivisions 2, 5, 7.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Pierson introduced:

H. F. No. 4181, A bill for an act relating to agriculture; appropriating money for a grant to Second Harvest Heartland.

The bill was read for the first time and referred to the Committee on Agriculture Finance.

Thissen introduced:

H. F. No. 4182, A bill for an act relating to commerce; requiring telecommunications service providers to comply with Internet privacy requirements; defining terms and modifying definitions; requiring express approval of disclosure of personally identifiable information; increasing civil liability threshold; amending Minnesota Statutes 2016, sections 325M.01; 325M.02; 325M.03; 325M.04; 325M.05; 325M.07; 325M.08.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Loeffler; Drazkowski; Marquart; Carlson, A.; Youakim; Omar; Barr, R.; Lien and Nelson introduced:

H. F. No. 4183, A bill for an act relating to taxation; property tax refund; allowing for a dependent exemption from household income; amending Minnesota Statutes 2016, section 290A.04, subdivision 4; Minnesota Statutes 2017 Supplement, section 290A.03, subdivisions 3, 15.

The bill was read for the first time and referred to the Committee on Taxes.

Kiel introduced:

H. F. No. 4184, A bill for an act relating to capital investment; appropriating money for a grant to the city of Climax to connect to the Marshall-Polk Rural Water System; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Garofalo introduced:

H. F. No. 4185, A bill for an act relating to employment; delaying the effective date for rules relating to extended employment.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Lesch introduced:

H. F. No. 4186, A bill for an act relating to taxation; property; modifying classification rate for community land trust properties; amending Minnesota Statutes 2016, section 273.11, subdivision 12.

The bill was read for the first time and referred to the Committee on Taxes.

Barr, R., introduced:

H. F. No. 4187, A bill for an act relating to transportation; authorizing deputy registrars to edit certain records in the Minnesota Licensing and Registration System.

The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy.

Sandstede, Ecklund, Metsa and Lueck introduced:

H. F. No. 4188, A bill for an act relating to capital investment; appropriating money for capital improvements to the Chisholm Sports Arena and Curling Club; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Sandstede, Ecklund, Sundin, Metsa and Lueck introduced:

H. F. No. 4189, A bill for an act relating to natural resources; appropriating money to monitor and model water levels in certain open-pit mines.

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

Fischer, Sundin, Nelson, Mahoney and Metsa introduced:

H. F. No. 4190, A bill for an act relating to taxation; individual income and corporate franchise; allowing a tax credit for certain mechanical insulation; amending Minnesota Statutes 2016, section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, M., introduced:

H. F. No. 4191, A bill for an act relating to human services; making human services forecast adjustments; appropriating money.

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

Albright introduced:

H. F. No. 4192, A bill for an act relating to health occupations; increasing certain Board of Social Work fees; amending Minnesota Statutes 2016, section 148E.180.

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

Albright introduced:

H. F. No. 4193, A bill for an act relating to health occupations; modifying and establishing new Board of Optometry fees; amending Minnesota Statutes 2016, section 148.59.

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

Pierson introduced:

H. F. No. 4194, A bill for an act relating to health care; developing pilot programs to increase early preventive dental disease intervention and care for infants, toddlers, and school-aged children; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Pierson introduced:

H. F. No. 4195, A bill for an act relating to human services; modifying adult foster care provisions; amending Minnesota Statutes 2017 Supplement, sections 245A.03, subdivision 7; 245A.11, subdivision 2a.

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

Lee introduced:

H. F. No. 4196, A bill for an act relating to public safety; requiring law enforcement to notify public when predatory offender is no longer found in area; amending Minnesota Statutes 2016, section 244.052, subdivision 4.

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

Flanagan introduced:

H. F. No. 4197, A bill for an act relating to human services; modifying basic sliding fee child care funding priorities and allocation formula; amending Minnesota Statutes 2016, section 119B.03, subdivision 6; Minnesota Statutes 2017 Supplement, section 119B.03, subdivision 4.

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

Bennett introduced:

H. F. No. 4198, A bill for an act relating to human services; appropriating money for school-linked mental health grants delivered by telemedicine; requiring a report.

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

Swedzinski introduced:

H. F. No. 4199, A bill for an act relating to human services; modifying the definition of legal nonlicensed child care provider; amending Minnesota Statutes 2016, section 119B.011, subdivision 16.

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

Lee and Maye Quade introduced:

H. F. No. 4200, A bill for an act relating to health occupations; modifying terms used to describe certain practices of acupuncture practitioners and complementary and alternative health care practitioners; amending Minnesota Statutes 2016, sections 146A.01, subdivision 4; 147B.01, subdivisions 3, 9, by adding a subdivision; 147B.03, subdivisions 2, 3; 147B.06, subdivision 4.

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

Omar introduced:

H. F. No. 4201, A bill for an act relating to education; requiring a school counselor in every school; appropriating money; amending Minnesota Statutes 2016, section 121A.39.

The bill was read for the first time and referred to the Committee on Education Innovation Policy.

Fischer introduced:

H. F. No. 4202, A bill for an act relating to education; providing for school safety, including requiring a school district to publish a summary of its crisis management policy, establishing school threat assessment teams and oversight committees, authorizing school boards to bond for certain security-related equipment, modifying the requirements of the commissioner's review and comment process, establishing safe schools revenue, and modifying the allowable uses of safe schools revenue; appropriating money for student support services and other purposes; amending Minnesota Statutes 2016, sections 121A.035, subdivision 2; 123B.61; 123B.71, subdivision 9; 126C.44; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time and referred to the Committee on Education Innovation Policy.

Pierson introduced:

H. F. No. 4203, A bill for an act relating to state government; establishing a new state agency consolidating the Department of Human Services and Department of Health licensing, background studies, and oversight functions.

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

Zerwas and Murphy, E., introduced:

H. F. No. 4204, A bill for an act relating to human services; removing certain organizations from a reporting requirement regarding programs and services for people with disabilities; amending Minnesota Statutes 2016, section 256.4825.

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

Schomacker introduced:

H. F. No. 4205, A bill for an act relating to human services; applying the dental services withhold to the medical assistance fee-for-service program; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Zerwas introduced:

H. F. No. 4206, A bill for an act relating to human services; modifying electronic visit verification; amending Laws 2017, First Special Session chapter 6, article 3, section 49; repealing Minnesota Statutes 2016, section 256B.0705.

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

Maye Quade introduced:

H. F. No. 4207, A bill for an act relating to education; requiring affirmative consent instruction; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time and referred to the Committee on Education Innovation Policy.

Davnie and Olson introduced:

H. F. No. 4208, A bill for an act relating to education finance; creating a state fund to pay for unreimbursed special education costs; requiring a report; appropriating money; amending Minnesota Statutes 2016, sections 126C.20; 127A.47, subdivision 7, by adding subdivisions; Minnesota Statutes 2017 Supplement, section 125A.11, subdivision 1.

The bill was read for the first time and referred to the Committee on Education Finance.

Anselmo introduced:

H. F. No. 4209, A bill for an act relating to education; providing a definition for STEM education; amending Minnesota Statutes 2016, section 120A.05, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Innovation Policy.

Loon and Erickson introduced:

H. F. No. 4210, A bill for an act relating to education finance; increasing the number of pupil audits; amending Minnesota Statutes 2016, section 127A.41, as amended.

The bill was read for the first time and referred to the Committee on Education Finance.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3133.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

CAL R. LUDEMAN, Secretary of the Senate

SUSPENSION OF RULES

Torkelson moved that Joint Rule 2.06, relating to Conference Committees, be suspended as it relates to S. F. No. 3133. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. No. 3133

A bill for an act relating to public safety; requiring the legislative auditor to appoint an information technology auditor to conduct an assessment of MNLARS; establishing a MNLARS steering committee; appropriating money.

March 22, 2018

The Honorable Michelle L. Fischbach
President of the Senate

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

We, the undersigned conferees for S. F. No. 3133 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 3133 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **MNLARS SUPPLEMENTAL APPROPRIATIONS; REDUCTIONS, TRANSFERS.**

Subdivision 1. **Appropriations; MNLARS.** \$9,650,000 in fiscal year 2018 is appropriated from the special revenue fund to the commissioner of public safety for costs related to continued development, improvement, operations, and deployment of the driver and vehicle services information system known as the Minnesota Licensing and Registration System (MNLARS). Of this amount, \$2,150,000 is from the vehicle services operating account and \$7,500,000 is from the driver services operating account. This is a onetime appropriation.

Subd. 2. **Appropriations; Office of the Legislative Auditor.** \$100,000 in fiscal year 2018 and \$250,000 in fiscal year 2019 are appropriated to the Office of the Legislative Auditor from the vehicle services operating account in the special revenue fund for the information technology auditor position established in section 3. This is a onetime appropriation.

Subd. 3. **Use of funds.** (a) The appropriations in subdivision 1 must be expended only in the specified amounts for the following purposes:

(1) \$7,051,000 for contracting to perform software development on the vehicle services component of MNLARS; and

(2) \$2,599,000 for technology costs, which consists of:

(i) \$100,000 for user authentication and access control management;

(ii) \$20,000 for testing environment hardware, including servers and data storage;

(iii) \$650,000 for partial relocation of data from the enterprise data center;

(iv) \$780,000 for disaster recovery preparedness; and

(v) \$1,049,000 for contracted software review and software development support services.

(b) The appropriations in this section must not be spent on:

(1) additional full- or part-time employees employed by the Department of Public Safety; or

(2) an audit, evaluation, or assessment on the feasibility of a proposed plan to resolve MNLARS defects and implement all MNLARS functionality conducted by the Department of Public Safety, the Office of MN.IT Services, or an entity hired by the Department of Public Safety or the Office of MN.IT Services.

Subd. 4. **Adjustments.** After May 1, 2018, if the commissioner of public safety and state chief information officer determine the amounts allocated in subdivision 3 need to be adjusted, the commissioner and state chief information officer may submit to the MNLARS Steering Committee established under section 4 a request to adjust the allocated amounts within existing appropriations. The commissioner and state chief information officer must provide, at a minimum, the proposed changes and a line item explanation of how the reallocated funds would be spent. The commissioner and state chief information officer must also submit a written explanation of the need to adjust the funds. A majority of the committee may, by affirmative vote, approve the adjustment to the appropriation amounts in subdivision 3.

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

Sec. 2. **MNLARS IMPLEMENTATION REQUIREMENTS.**

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

(b) "Information technology auditor" means the individual appointed by the legislative auditor under section 3, subdivision 1.

(c) "MNLARS" means the driver and vehicle information system known as the Minnesota Licensing and Registration System.

(d) "Committee" means the MNLARS Steering Committee established under section 4.

(e) "Quarter" means a three-month period starting on July 1, October 1, January 1, or April 1, in fiscal year 2019.

Subd. 2. Project timeline; deadlines; performance measures; plans. (a) By May 1, 2018, the commissioner of public safety and the state chief information officer must submit to the committee:

(1) a detailed project budget;

(2) a proposed project timeline to develop and implement MNLARS that includes specific deadlines and performance measures that must be met in each quarter;

(3) a proposed plan for user acceptance testing, including deputy registrars and auto dealers located both outside the metropolitan area and within the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, to the extent such testing is deemed feasible by the Minnesota Deputy Registrars Association and the Minnesota Automobile Dealers Association;

(4) a proposed plan for system stakeholder input on code releases to MNLARS;

(5) a proposed communications plan for transparent reporting on MNLARS outages and slowdowns to system stakeholders, including how to communicate (i) status information in a timely manner and usable format, (ii) actions taken in response to communication, and (iii) responses from the Department of Public Safety and the Office of MN.IT Services;

(6) a proposed communications plan for postrelease reporting on features and fixes to system stakeholders; and

(7) a proposed plan to create greater efficiencies and streamline the vehicle title process to reduce the current backlog and to minimize any future backlogs.

(b) At a minimum, the performance measures required under paragraph (a), clause (2), must provide specific metrics to monitor MNLARS development and implementation activities, including measures of:

(1) the extent to which MNLARS defects have been resolved;

(2) the extent to which gaps in MNLARS functionality have been resolved;

(3) improvements in the ability of MNLARS users to edit transactions;

(4) reduction in the backlog of vehicle titles;

(5) the extent of errors in driver or vehicle transactions;

(6) system performance, including the extent of any slowdowns, outages, or other system performance issues; and

(7) customer service responsiveness, which may include the number of phone calls and e-mails from the general public and stakeholders, and the timeliness of inquiry responses.

(c) The project timeline, deadlines, performance measures, and plans under this subdivision are not administrative rules and are not subject to Minnesota Statutes, chapter 14.

Subd. 3. Progress reporting. (a) By May 1, 2018, and between 20 and 30 days before the start of each quarter, the commissioner of public safety and the state chief information officer must submit a progress report to the committee and the information technology auditor. At a minimum, each progress report must identify MNLARS project activity, including but not limited to:

(1) information sufficient to determine whether deadlines under the project timeline have been met, and an explanation of the circumstances for any deadlines that have not been met;

(2) details on the status in achieving each performance measure;

(3) an overview of project activity during the reporting period, including compliance with each of the plans;

(4) information on project staffing and contractors, including separate lists detailing the amount spent for state employees and the amount spent for private contractors in the preceding quarter, itemized by the number of employees and contractors, the project duties for each, and the agency responsible for employees' or contractors' work; and

(5) information on any additional or unexpected costs identified to date, including a detailed explanation of the additional or unexpected costs and the specific steps taken to reduce other costs to ensure the overall MNLARS project expenditures remain within the project budget.

(b) Each report must include the statement "I affirm that the statements submitted to the committee in this document are complete and truthful to the best of my knowledge." The commissioner of public safety and the state chief information officer must each sign an acknowledgment of this statement.

Subd. 4. Stakeholder reporting. Between 20 and 30 days before the start of each quarter, the Minnesota Deputy Registrars Association, the Minnesota Automobile Dealers Association, and any other stakeholders are each encouraged to submit a report to the committee regarding the progress on the relevant performance measures established under subdivision 2, paragraph (b).

Subd. 5. Request for information; report. (a) No later than May 1, 2018, the commissioner of public safety must issue a request for information as described in this subdivision. The request for information must obtain advice from qualified vendors regarding the feasibility of using a private vendor to develop, deploy, and maintain a vehicle information system that replaces functionality in MNLARS.

(b) The request for information must solicit advice on procuring a replacement vehicle information system that:

(1) is cost-effective, reliable, consumer- and user-friendly, and implemented in a timely manner; and

(2) contains functionality that substantially matches the functionality and features of the legacy information technology system in place prior to initial implementation of MNLARS.

(c) The request for information must be designed to obtain implementation information that includes:

(1) feasibility, costs, and a preliminary estimated timeline or schedule for implementation;

(2) a breakdown of costs for vehicle services components and functionality, including costs of integrating a vehicle services information system with a separately developed driver services information system; and

(3) capacity and experience of a potential vendor.

(d) The request for information under this section must be published in the state register and on the Web site of the Department of Administration at least 14 days prior to closing. The request must otherwise be administered according to the requirements of Minnesota Statutes, chapter 16C, to the extent applicable, except that a vendor's submission does not constitute a response to a solicitation, as defined in Minnesota Statutes, section 16C.02, subdivision 14. The commissioner is prohibited from using a vendor submission in response to a request for information under this section to enter a contract unless the terms of the submission are later included in a vendor's response to a formal solicitation, as defined in Minnesota Statutes, section 16C.02, subdivision 7.

(e) No later than August 1, 2018, the commissioner must submit a report to the committee and the information technology auditor that summarizes the responses and information received from qualified vendors under this section.

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

Sec. 3. **INFORMATION TECHNOLOGY AUDITOR; MNLARS ASSESSMENTS.**

Subdivision 1. **Appointment.** The legislative auditor must appoint an information technology auditor to actively monitor and report on the development and implementation of the Minnesota Licensing and Registration System (MNLARS). At a minimum, the person appointed to this position must have expertise in .NET software development and must have project management experience.

Subd. 2. **Duties.** (a) The information technology auditor must conduct an assessment of MNLARS. Upon completion, the assessment must be provided to the MNLARS Steering Committee established under section 4. At a minimum, the assessment must include:

(1) a technical assessment of MNLARS;

(2) an assessment on the feasibility of the MNLARS Project Roadmap proposed by the Department of Public Safety and the Office of MN.IT Services in January 2018, and the project timeline under section 2, subdivision 2;

(3) an assessment of estimated funding needs for the continued development, operations, and maintenance of MNLARS; and

(4) an assessment of process changes and business workflows for auto dealers and deputy registrars.

(b) Each quarter, the information technology auditor must report to the MNLARS Steering Committee whether the commissioner of public safety and the state chief information officer are:

(1) meeting the deadlines and performance measures in the project timeline required in section 2, subdivision 2; and

(2) in compliance with the plans required in section 2, subdivision 2.

(c) The quarterly reports under paragraph (b) must be submitted to the committee between 20 and 30 days before the start of each quarter.

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

Sec. 4. **MNLARS STEERING COMMITTEE; QUARTERLY FUNDING REVIEW.**

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

(b) "Committee" means the MNLARS Steering Committee established in this section.

(c) "Commissioner" means the commissioner of management and budget or the commissioner's designee.

(d) "MNLARS" means the driver and vehicle information system known as the Minnesota Licensing and Registration System.

(e) "Information technology auditor" means the individual appointed by the legislative auditor pursuant to section 3, subdivision 1.

(f) "Quarter" means a three-month period starting on July 1, October 1, January 1, or April 1, in fiscal year 2019.

Subd. 2. MNLARS Steering Committee; membership. (a) A MNLARS Steering Committee is established. The committee is made up of the following members:

(1) the chair of the senate Finance Committee, or a senator appointed by the chair of the senate Finance Committee;

(2) the chair and ranking minority member of the senate committee with jurisdiction over transportation finance;

(3) the chair of the house of representatives Ways and Means Committee, or a member of the house of representatives appointed by the chair of the house of representatives Ways and Means Committee; and

(4) the chair and ranking minority member of the house of representatives committee with jurisdiction over transportation finance.

Subd. 3. Meetings. (a) The senate chair of the committee with jurisdiction over transportation finance must convene the initial meeting of the committee by May 1, 2018.

(b) The chairs of the house of representatives and senate committees with jurisdiction over transportation finance serve as cochairs of the committee.

(c) The committee must meet at least once each quarter.

(d) The committee is subject to Minnesota Statutes, section 3.055, except that a member may vote by submitting a written statement indicating how the member votes on a motion. This written statement must be treated in the same manner as the votes of the members present at the meeting. The vote must be submitted to all members prior to the start of the meeting at which the vote will take place.

(e) The Legislative Coordinating Commission must provide meeting space and administrative support for the committee.

Subd. 4. Committee duties. (a) The committee must review the proposed timeline, including deadlines and performance measures, and the proposed plans submitted under section 2, subdivision 2. The committee may request that the commissioner of public safety and the state chief information officer make changes to the timeline and plans. Prior to reviewing the July 1 quarterly allotment, the committee must approve a timeline and plans. The cochairs must transmit copies of the timeline and plans to the information technology auditor.

(b) The committee must review (1) the progress reports submitted under section 2, subdivision 3; (2) reports from the information technology auditor under section 3, subdivision 2; and (3) quarterly appropriations as provided in subdivision 5.

(c) The committee may contract with, hire, or otherwise consult with any individual to assist the committee with its duties.

Subd. 5. Review of appropriations. (a) Funds appropriated in fiscal year 2019 to the commissioner of public safety for MNLARS are divided into four equal quarters. The commissioner must allot a quarter of the funds on July 1, October 1, January 1, and April 1, unless otherwise directed by the committee under this section. Twenty days prior to the start of a quarter, the commissioner must submit a proposal to allot funds for MNLARS to the members of the committee for review and recommendation.

(b) The committee members have 20 days from the receipt of a proposal to determine whether the Department of Public Safety and the Office of MN.IT Services have met the deadlines and performance measures established in section 2, subdivision 2. If during the 20-day review period a majority of the committee members affirmatively votes to:

(1) defer, reduce, or further condition the next quarterly allotment based on the failure to meet deadlines or performance measures; or

(2) recommend further review to determine whether deadlines and performance measures have been met,

the commissioner must defer, reduce, or condition the quarterly funds as provided in the committee vote. If the committee votes to recommend further review, the commissioner must defer the next quarterly payment.

(c) A committee member, by written notice to the commissioner, may withdraw the member's affirmative vote made under paragraph (b) within 20 days of the vote. If within 20 days of the vote one or more members withdraw an affirmative vote under this paragraph so that three or fewer affirmative votes remain, the commissioner may allot the quarterly funds to the commissioner of public safety for MNLARS.

(d) If a quarterly allotment is not made under paragraph (a) or (b), the commissioner must allot to the commissioner of public safety an amount sufficient to fund an additional 30 days for contracted technical staff working on MNLARS.

Subd. 6. Resubmission of proposal. If a proposed allotment is deferred under subdivision 5, the commissioner may submit proposed legislation to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee for consideration during the 2019 legislative session.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment. Subdivisions 4 and 5 apply to any money appropriated in fiscal year 2019 for MNLARS in this act or any subsequent act.

Sec. 5. REAL ID ACT EXTENSIONS.

The commissioner of public safety must coordinate with the governor to seek any extensions available from the United States Department of Homeland Security with respect to federal enforcement of the REAL ID Act of 2005, Public Law 109-13, Division B. The commissioner must make all feasible efforts to promptly obtain extensions.

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

Sec. 6. **EXPIRATION.**

Section 2, subdivisions 2 to 4, and section 4, expire upon full implementation of MNLARS, which includes but is not limited to resolution of all significant defects, implementation of all functionality gaps identified in the project timeline, and decommissioning of the legacy driver and vehicle services information technology system. The MNLARS Steering Committee must determine when MNLARS is fully implemented.

Sec. 7. **SEVERABILITY.**

If any provision of sections 1 to 6 or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of sections 1 to 6 that can be given effect without the invalid provision or application. The provisions of this section are severable.

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

Delete the title and insert:

"A bill for an act relating to public safety; establishing certain requirements with respect to the development and implementation of the Minnesota Licensing and Registration System; requiring a report; appropriating money."

We request the adoption of this report and repassage of the bill.

Senate Conferees: SCOTT J. NEWMAN, DAVID J. OSMEK and D. SCOTT DIBBLE.

House Conferees: PAUL TORKELSON, DAVE BAKER and MICHAEL V. NELSON.

Torkelson moved that the report of the Conference Committee on S. F. No. 3133 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3133, A bill for an act relating to public safety; requiring the legislative auditor to appoint an information technology auditor to conduct an assessment of MNLARS; establishing a MNLARS steering committee; appropriating money.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Albright	Baker	Carlson, L.	Dehn, R.	Franke	Haley
Allen	Barr, R.	Christensen	Dettmer	Franson	Halverson
Anderson, P.	Becker-Finn	Clark	Ecklund	Freiberg	Hamilton
Anderson, S.	Bennett	Considine	Erickson	Garofalo	Hansen
Anselmo	Bernardy	Daniels	Fabian	Green	Hausman
Applebaum	Bliss	Davids	Fenton	Grossell	Heintzeman
Backer	Bly	Davnie	Fischer	Gruenhagen	Hilstrom
Bahr, C.	Carlson, A.	Dean, M.	Flanagan	Gunther	Hoppe

Hornstein	Layman	Marquart	O'Driscoll	Rarick	Torkelson
Hortman	Lee	Masin	Olson	Rosenthal	Uglem
Howe	Lesch	Maye Quade	Omar	Runbeck	Urdahl
Jessup	Liebling	McDonald	O'Neill	Sandstede	Vogel
Johnson, B.	Lien	Metsa	Pelowski	Sauke	Wagenius
Johnson, C.	Lillie	Miller	Petersburg	Schomacker	Ward
Jurgens	Loeffler	Murphy, E.	Peterson	Schultz	West
Kiel	Lohmer	Murphy, M.	Pierson	Scott	Whelan
Knoblach	Loon	Nash	Pinto	Slocum	Wills
Koegel	Loonan	Nelson	Poppe	Smith	Youakim
Koznick	Lueck	Neu	Poston	Sundin	Zerwas
Kresha	Mahoney	Newberger	Pryor	Swedzinski	
Kunesh-Podein	Mariani	Nornes	Pugh	Theis	

Those who voted in the negative were:

Drazkowski	Hertaus	Lucero	Peppin	Quam	Spk. Daudt
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The bill was repassed, as amended by Conference, and its title agreed to.

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, March 26, 2018 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 2982, 3418 and 3157.

MOTIONS AND RESOLUTIONS

Fenton moved that the name of Ward be added as an author on H. F. No. 501. The motion prevailed.

Albright moved that the name of Loeffler be added as an author on H. F. No. 517. The motion prevailed.

Zerwas moved that the name of Schultz be added as an author on H. F. No. 1326. The motion prevailed.

Howe moved that the name of Liebling be added as an author on H. F. No. 1484. The motion prevailed.

Ecklund moved that the name of Lueck be added as an author on H. F. No. 1999. The motion prevailed.

Scott moved that the name of Dehn, R., be added as an author on H. F. No. 2699. The motion prevailed.

Allen moved that the names of Clark and Slocum be added as authors on H. F. No. 2828. The motion prevailed.

Franke moved that the name of Gruenhagen be added as an author on H. F. No. 2932. The motion prevailed.

Clark moved that the name of Baker be added as an author on H. F. No. 2964. The motion prevailed.

Thissen moved that the name of Loeffler be added as an author on H. F. No. 2966. The motion prevailed.

Peterson moved that the name of Flanagan be added as an author on H. F. No. 3010. The motion prevailed.

Urdahl moved that the name of Dettmer be added as an author on H. F. No. 3093. The motion prevailed.

Lesch moved that the name of Flanagan be added as an author on H. F. No. 3131. The motion prevailed.

Fabian moved that the name of Ecklund be added as an author on H. F. No. 3142. The motion prevailed.

Bennett moved that the name of Hamilton be added as an author on H. F. No. 3189. The motion prevailed.

Schomacker moved that the name of Lueck be added as an author on H. F. No. 3191. The motion prevailed.

Peterson moved that the name of Flanagan be added as an author on H. F. No. 3205. The motion prevailed.

Fenton moved that the name of Jurgens be added as an author on H. F. No. 3206. The motion prevailed.

Swedzinski moved that the name of Gruenhagen be added as an author on H. F. No. 3255. The motion prevailed.

Kunesh-Podein moved that the names of Lee and Loeffler be added as authors on H. F. No. 3257. The motion prevailed.

Bennett moved that the name of Hamilton be added as an author on H. F. No. 3288. The motion prevailed.

Pugh moved that the name of Theis be added as an author on H. F. No. 3290. The motion prevailed.

Anselmo moved that the names of Ecklund and Hansen be added as authors on H. F. No. 3291. The motion prevailed.

Quam moved that the name of Lucero be added as an author on H. F. No. 3302. The motion prevailed.

Lucero moved that the name of Haley be added as an author on H. F. No. 3339. The motion prevailed.

Kunesh-Podein moved that the name of Freiberg be added as an author on H. F. No. 3375. The motion prevailed.

Miller moved that the names of Halverson and Loeffler be added as authors on H. F. No. 3388. The motion prevailed.

Fabian moved that the name of Johnson, C., be added as chief author on H. F. No. 3424. The motion prevailed.

Omar moved that the name of Loeffler be added as an author on H. F. No. 3434. The motion prevailed.

Dettmer moved that the name of Lohmer be added as an author on H. F. No. 3475. The motion prevailed.

Anderson, S., moved that the name of Howe be added as an author on H. F. No. 3505. The motion prevailed.

Anselmo moved that the names of Sauke, Schultz, Pryor, Ecklund, Metsa and Hansen be added as authors on H. F. No. 3532. The motion prevailed.

Franson moved that the name of Loeffler be added as an author on H. F. No. 3537. The motion prevailed.

Albright moved that the name of Howe be added as an author on H. F. No. 3573. The motion prevailed.

Anselmo moved that the names of Anderson, S., and Jessup be added as authors on H. F. No. 3577. The motion prevailed.

Omar moved that the names of Loeffler and Dehn, R., be added as authors on H. F. No. 3582. The motion prevailed.

Koznick moved that the name of Jurgens be added as an author on H. F. No. 3594. The motion prevailed.

Wills moved that the name of Jurgens be added as an author on H. F. No. 3599. The motion prevailed.

Grossell moved that the name of Howe be added as an author on H. F. No. 3611. The motion prevailed.

Jessup moved that the name of Christensen be added as an author on H. F. No. 3676. The motion prevailed.

Maye Quade moved that her name be stricken as an author on H. F. No. 3685. The motion prevailed.

O'Driscoll moved that the names of Maye Quade and Haley be added as authors on H. F. No. 3688. The motion prevailed.

Jessup moved that the name of Dettmer be added as an author on H. F. No. 3692. The motion prevailed.

Dauids moved that the name of Metsa be added as an author on H. F. No. 3711. The motion prevailed.

Drazkowski moved that the name of Lucero be added as an author on H. F. No. 3723. The motion prevailed.

Liebling moved that the name of Hamilton be added as an author on H. F. No. 3762. The motion prevailed.

McDonald moved that his name be stricken as an author on H. F. No. 3779. The motion prevailed.

Barr, R., moved that the name of Lucero be added as an author on H. F. No. 3810. The motion prevailed.

Hertaus moved that the name of Lucero be added as an author on H. F. No. 3811. The motion prevailed.

Schomacker moved that the names of Kresha and Lillie be added as authors on H. F. No. 3833. The motion prevailed.

Flanagan moved that the name of Franson be added as an author on H. F. No. 3850. The motion prevailed.

Christensen moved that the name of Jurgens be added as an author on H. F. No. 3885. The motion prevailed.

Peterson moved that the name of Halverson be added as an author on H. F. No. 3917. The motion prevailed.

Swedzinski moved that the names of O'Driscoll, Howe, Daudt and Theis be added as authors on H. F. No. 3918. The motion prevailed.

Uglem moved that the name of Bly be added as an author on H. F. No. 3921. The motion prevailed.

Anselmo moved that the name of Christensen be added as an author on H. F. No. 3935. The motion prevailed.

Mahoney moved that the name of Davids be added as an author on H. F. No. 3968. The motion prevailed.

Moran moved that the names of Hamilton and Omar be added as authors on H. F. No. 3973. The motion prevailed.

Nash moved that the name of Pugh be added as an author on H. F. No. 3997. The motion prevailed.

Ward moved that the name of Dettmer be added as an author on H. F. No. 4020. The motion prevailed.

Fenton moved that the name of Koznick be added as an author on H. F. No. 4047. The motion prevailed.

McDonald moved that the name of Garofalo be added as an author on H. F. No. 4061. The motion prevailed.

O'Neill moved that the names of Lillie and Hilstrom be added as authors on H. F. No. 4067. The motion prevailed.

Anderson, S., moved that the name of Metsa be added as an author on H. F. No. 4072. The motion prevailed.

Zerwas moved that the names of Dehn, R.; Becker-Finn; Ward and Pinto be added as authors on H. F. No. 4091. The motion prevailed.

Loonan moved that the name of Considine be added as an author on H. F. No. 4096. The motion prevailed.

Miller moved that the name of Lueck be added as an author on H. F. No. 4114. The motion prevailed.

Clark moved that the names of Ward, Fenton, Youakim, Masin and Anselmo be added as authors on H. F. No. 4132. The motion prevailed.

Anselmo moved that H. F. No. 3577 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Environment and Natural Resources Policy and Finance. The motion prevailed.

O'Driscoll moved that H. F. No. 4153 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Government Operations and Elections Policy. The motion prevailed.

O'Driscoll moved that H. F. No. 4154 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Government Operations and Elections Policy. The motion prevailed.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 3:30 p.m., Monday, March 26, 2018. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Monday, March 26, 2018.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

