

## STATE OF MINNESOTA

## NINETIETH SESSION — 2017

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 FIFTY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 16, 2017

The House of Representatives convened at 10:00 a.m. and was called to order by Tony Albright, Speaker pro tempore.

Prayer was offered by the Reverend Paul Rogers, Minneapolis, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Bliss, Halverson and Lucero were excused.

Flanagan was excused until 2:25 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.

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 15, 2017

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

Dear Speaker Daudt:

I have vetoed and am returning H. F. No. 330, Chapter No. 49, a bill relating to local government, requiring a two-thirds vote to impose an interim ordinance.

This legislation represents a step forward in providing notice and a voice for those potentially affected by an interim ordinance regulating a housing proposal. However, the requirement for a two-thirds vote of the City Council members present and voting on an interim ordinance related to housing proposals is an unnecessary exception to the general requirement for a majority vote. The provision weakens local control and the rights of local community members.

Should a subsequent bill provide for a majority vote instead of two-thirds, I would reconsider this legislation.

Sincerely,

MARK DAYTON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 15, 2017

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

Dear Speaker Daudt:

I have vetoed and am returning H. F. No. 861, Chapter No. 62, a bill related to transportation finance.

For the past three years, I have proposed a detailed transportation proposal to adequately fund roads, bridges, and transit. We all agree Minnesota's transportation system needs significant new funding beyond existing revenues:

- **An additional \$400 million per year** in ongoing, dedicated funding just to maintain our state's highways, roads, and bridges in their current conditions;
- **Another \$200 million per year** in ongoing, dedicated funding in order to make the critical improvements and expansions on our state highways, interstates, and bridges, which will be crucial to our continuing economic and social vitality; and
- **An additional \$300 million per year** in ongoing, dedicated funding in order to maintain our current transit and bus systems, and to invest in transit expansions across the state necessary to reduce highway congestion and accommodate population growth.

I found the bill for roads, bridges, and transit disheartening and wholly inadequate. Based on this bill, despite rhetoric to the contrary, transportation does not appear to be one of the top priorities for Republicans.

### **Roads and Bridges**

This bill fails to provide long-term, sustainable, and dedicated funding for the state and local transportation systems. Twenty-five states, including our Republican governed neighbors, are creating more economically sound transportation infrastructure using increases in the gas tax. Despite my willingness to compromise and accept a transportation bill without the gas tax increase, this bill completely lacks a new funding source that is long-term and constitutionally dedicated for roads and bridges. That is unfortunate for our cities, counties, township and states that rely on dedicated funding to maintain and build our infrastructure.

This bill anticipates using speculative future general funds to make significant trunk highway bond payments over the next 20 years, which sets up an untenable budget situation. Issuing \$600 million in trunk highway bonds without new, constitutionally dedicated revenue to pay off the bonds will undoubtedly force MnDOT to reduce future road and bridge construction to pay for more debt if the general fund transfers are discontinued or reduced in the future. In fact, as your conference committee progressed, you already demonstrated the folly of relying on general funds for roads and bridges by shifting funds from the sales tax on auto parts away from roads and bridges to other uses in the bill.

Furthermore, the amount of funding in the bill for trunk highways provides only a small fraction of what is needed to preserve, let alone expand the system. My funding proposal provides \$600 million per year in new funding, whereas, your bill allocates only \$75 million per year in new, general fund revenue for state roads and bridges this biennium. This would only be enough to reconstruct 37.5 miles of pavement in greater Minnesota.

The needs of our infrastructure system to keep the state economically competitive demand that we invest additional resources just to maintain our system. And while I am willing to compromise and accept some use of the general fund for transportation, I insist constitutionally dedicated sources of revenue must be part of the transportation bill.

### **Transit**

This bill seriously underfunds Metro Transit services and cuts Greater Minnesota transit. The bill leaves Metro Transit with a \$17.5 million deficit in fiscal year 2018-2019 that would require a reduction of bus service at a time when the population of the metro region and the need for efficient transit is growing. Because the funding increase in the bill is one-time only, Metro Transit is left with a \$110 million structural deficit in the next biennium. The bill also fails to address the rising costs of Metro Mobility, a program that is already stretched and will continue to see growing demand as our population ages.

I will not accept a transportation bill that results in cuts to Metro Transit services. Our transit system is vital to the economic health and competitiveness of the metro region and the state as a whole. My proposal for transit included a half-cent sales tax in the seven-county metropolitan area that would have raised \$3 billion over the next 10 years. It would have eliminated the need for future general fund appropriations for transit expansion and operations, including bus services.

Since the legislature is unwilling to consider my long-term plan for a stable, dedicated funding source for the metro area transit system, at a minimum I insist that the transportation bill include \$85 million in additional base funding for Metro Transit to avoid any reduction in service. 80 percent of metro area transit rides are taken by Minnesotans going to and from work and school. Your failure to adequately fund our transit system will have real life consequences for our seniors, students, low-income individuals, and individuals with disabilities.

### **Rail**

This bill does not provide adequate funding for the MnDOT Freight Rail Office, which would severely limit, and potentially eliminate, the state's ability to administer key rail safety programs statewide, including identifying and upgrading high-risk grade crossings. I encourage you to fully fund these key functions within MnDOT.

By ignoring my request for additional rail inspectors, you are perpetuating a lack of adequate oversight that can have a serious impact on the safety of our communities along the freight lines. These rail inspectors are paid for by the rail industry through an assessment to ensure compliance with federal rail safety standards. In 2016, federal and state inspectors found over 12,068 defects, compared with 4,873 in 2015, an increase of almost 250%. My proposal included 6 inspectors to bring our numbers in line with other participating states.

Another key way of improving safety in my budget proposal was to fund small grade crossing improvements at over 4,500 state and local road crossings in Minnesota. I appreciate that your proposal includes some money for rail grade crossing safety, but my proposal deployed non general fund money that is currently collected from highway patrol fees and allocated the full amount to rail grade crossing safety at \$7.4 million.

Eliminating the passenger rail office, as your bill does, puts Minnesota behind other states in the region that continue to invest in passenger rail planning and implementation. Cities like St. Cloud, Duluth, Red Wing and Winona will be precluded from the economic benefits of expanded passenger rail service by completely eliminating the office. In the spirit of compromise, I would support a status quo option for this office at \$500,000 annually. I also encourage you to support my proposal to provide funding for an intercity passenger rail demonstration to St. Cloud and a full study of a Northstar expansion.

### **MNLARS**

The Minnesota Licensing and Registration System (MNLARS) needs a stable and ongoing funding source to maintain the system when it goes live later this year. This bill does not re-institute a \$1 transaction fee that I included in my budget, which would establish an ongoing funding source for this critical backbone of the driver licenses, identification cards, and motor vehicle registrations system. This bill only funds MNLARS operations for one biennium from the driver and vehicle services special revenue accounts. In addition, there are other budget, policy provisions, and REAL ID proposals that may impact this account. I urge you to re-institute the \$1 transaction fee.

### **Met Council Governance Change**

The bill proposes an ill-advised Metropolitan Council governance change that includes a 28-member Council composed of county commissioners and local elected officials. This governance change proposal was not part of the House or Senate Omnibus Transportation bills. This drastic governance change would create a chaotic structure with conflicts of interest. The offices of Metropolitan Council member and municipal elected official are inherently incompatible because the Council serves both as a regulator and distributor of funds to local governments. Eliminating the Transportation Advisory Board (TAB) and changing the composition of the Council jeopardizes federal funds currently allocated by the Metropolitan Council and will trigger a Federal Metropolitan Planning Organization (MPO) re-designation process. I appreciate the Legislature's interest in Metropolitan Council governance reform, but I will not sign a transportation finance bill that includes such a drastic change. I encourage the Legislature to propose a change that includes input from and is overwhelming supported by a majority of the entities impacted by any change to the Met Council.

**Other Policies**

I am disappointed to see that this bill includes numerous policy proposals that are: 1) detrimental to the state's economy, 2) obstruct the metro area's ability to build a strong transit system that benefits all Minnesotans, and 3) are harmful to our state's infrastructure. I find the following policy provisions troublesome and they need to be removed before I consider the next transportation bill.

- Increasing truck weights for milk and construction materials would create more damage to roadways when the system is already struggling with maintenance.
- Setting a \$7 million cap on the local bridge funding program, which is unfair to local governments absent another program to fund these large, expensive bridges.
- Historically, tolling has been viewed unfavorably by Minnesotans and this study is unlikely to provide any additional information to make tolling more acceptable. Studying it is simply a waste of money.
- Prohibiting MnDOT legal counsel from performing activities related to data practices requests.
- Establishing requirements for the deposit and appropriation of Clean Air Act Settlement money, which does not belong in a transportation bill.
- I-35 Weigh Station construction moratorium, which will add cost and has no value.
- MN Valley Regional Rail Loan to grant conversion that sets a bad precedent.
- The trunk highway appeal process language does not reflect an agreement MnDOT reached last year on this provision, and as written, it challenges the ability of MnDOT to control access to trunk highways which is key to traffic safety. The language originally in the bill was passed twice on the floor of the House and once in the Senate. This language was never discussed, heard or voted on any committee or legislative body outside the conference committee.
- Snow and ice contingency language restricting the hiring of plow drivers or buying snow plows and other equipment to keep our roads safe during hazardous winters.
- Requiring the codification of the project selection process in law, which will create inefficiency and will not allow for flexibility to adjust to changing circumstances.
- Requiring a larger portion of MVST revenue to be allocated to opt-out bus service providers at the expense of Metro Transit service.
- Requiring the Council to grant financial assistance to Excelsior for replacement bus service.
- Prohibiting the Metropolitan Council from issuing any obligations backed by motor vehicle sales tax revenue, restricting the tools available to the Council to efficiently manage its capital and operating budget.
- Requiring a duplicative alternatives and benefits analysis prior to engineering a light rail project, and applying new requirements to projects already underway that have not yet formally entered the engineering phase of the FTA's New Starts program.
- Eliminating the state's 50 percent share of net operating costs for light rail lines not already in revenue operations.
- Allowing an administrative law judge to consider the reasonableness of a metropolitan system plan or part of a plan if a municipality challenges its system statement.
- Requiring the Metropolitan Council to pay for a vibration susceptibility study for Calhoun Isles by an engineering firm selected by the condo owners association.
- A Metro Mobility Task Force composition that includes providers and members with no experience with or knowledge of paratransit.

This transportation bill is a short-term strategy centered on the Republicans approach to "starve the general fund" by siphoning resources away from other priorities in the state budget. And yet, the dollar amounts in the bill do little to address the growing gap between resources and transportation system needs, including metro area bus service. I expect the next transportation bill to be sincere in what is described as "new" funding for roads and bridges as not to mislead the public.

I remain insistent that we take a long-term approach for transportation funding. I expect the next transportation bill to include constitutionally dedicated resources for roads and bridges, \$85 million for transit, and all the operating adjustment funding included in my budget from the trunk highway fund. I also insist that no extraneous policy provisions be inserted into this funding bill.

This transportation bill shortchanges Minnesotans and I find it deplorable. Thus, I am vetoing this bill.

Sincerely,

MARK DAYTON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 15, 2017

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

Dear Speaker Daudt:

I have vetoed and am returning H. F. No. 4, Chapter No. 66, a bill relating to the omnibus tax bill.

When I took office in 2011, Minnesota faced a \$6.2 billion budget deficit. Now, after six years of making tough, responsible choices, Minnesota is finally on sound fiscal footing. Our state has \$1.5 billion on its bottom line and nearly \$2 billion in reserves to protect Minnesota from future economic downturns. This bill prioritizes unsustainable tax cuts now and into the future over investments in prekindergarten, higher education and economic development that will grow opportunities for hard working Minnesotans in our state.

This bill will cost the state \$1.1 billion this biennium and \$1.4 billion in the next and grow in the future, setting the state up for fiscal uncertainty. That is because items like eliminating the inflator on the state general levy and the indexing on tobacco taxes grow significantly beyond what you have shown on the bill's spreadsheet. The levy freeze will cost over \$1 billion over 10 years. The tobacco tax cuts will cost nearly \$300 million over ten years.

In addition to the irresponsible size of the tax bill, the composition represents misplaced priorities. The bill prioritizes tax relief to some of the most fortunate in our state, large businesses, and special interests while ignoring those in Minnesota who have not yet benefitted from the recovery and those who rely on essential government services.

**Education tax credit provisions**

The education foundation tax credit will provide those who can afford to make significant donations to foundations with tax credits on top of the existing tax deduction for charitable donations. Individuals are free, of course, to provide donations to charities of their choosing – many provide significant public good. But this provision provides additional significant incentives to a select group of foundations, while other worthy charities across Minnesota are not provided with this same significant treatment.

I have repeatedly stated my intention to veto any bill that provides public funds to private education in the form of vouchers or other mechanism. Expansion of existing education subtraction, expansion of the existing education credits to include tuition, and creation of a new credit for contributions to foundations related to scholarships, will divert public resources to private schools. As I have made clear, I intend to veto any bill that includes vouchers.

My budget prioritized Minnesota's students by investing in our public schools. It would expand voluntary pre-K by doubling the enrollees from 3,300 to 8,300 in FY 18, invest over \$600 million more dollars to provide better schools for students and families everywhere in Minnesota, and as part of that increase our investment in special education by \$40 million as well as many other investments that will improve education in Minnesota.

#### **Estate tax cut**

The estate tax cut, which costs \$162 million in FY 18-19, will mean that nearly all of the wealthiest 1,000 estates in Minnesota each year will no longer pay any estate tax, significantly reducing the work we have done in Minnesota to make our tax system more progressive. It will do nothing to help family farms and business, because they are already exempt from the estate tax up to \$5 million when they pass on their businesses to their heirs. It will only help the super wealthy to avoid paying their fair share of taxes.

#### **Cigarette tax reductions**

Among the most egregious provisions in the tax bill is the elimination of the inflator on cigarette taxes. The purpose of the cigarette tax increase and inflator in 2013 was to make strategic investments in health care, education and jobs, and to reduce smoking in Minnesota, in particular among its youth. Each year, more than 6,300 Minnesotans die from smoking-related illnesses, and smoking costs Minnesotans more than \$3 billion in excess health care cost. Since the increase took effect, smoking has declined, most notably among high school students.

Eliminating the inflator on these taxes will make cigarettes and moist snuff more affordable for our youth, who are more price sensitive, years down the road. Removing the inflator will lower the cost of cigarettes and snuff over time in real dollars.

Furthermore, without any public testimony in conference committee and in the dark of the night, the tax conference committee snuck in a new premium cigar tax cut for the tobacco industry that puts their profits ahead of people's health.

The legislature should look at ways to prevent youth from smoking and help current smokers quit, not ways to make tobacco products more affordable to hook the state's next generation to these dangerous products.

The cost of this proposal is a significant concern as well. It will cost \$10 million in this biennium but grow to \$36 million in the FY20-21 biennium, and will continue to grow more after that. For these reasons, I have criticized this proposal in the past and continue to oppose it.

#### **Business tax cuts**

Of the over \$1.1 billion spent in this bill, the business and estate tax cuts in this bill total over \$500 million in FY18-19, primarily benefitting the largest corporations in the state. In the near term, the C/I levy changes will allow all businesses to reduce their property taxes with the exclusion of the first \$150,000 of value.

But the freeze to the levy amount, over time, will disproportionately benefit large building owners like the IDS and the Mall of America. These two tax cuts alone will cost the state's budget over \$1.7 billion over the next ten years. The changes to section 179 expensing and R&D credit expansion will cost an additional \$190 million in the next biennium.

These business tax cuts undermine our state's long-term economic well-being. Instead of providing needed investments in E-12 and higher education across the state, this bill funds the priorities of powerful special interest groups. These tax cuts are short changing the long term prosperity of Minnesota by failing to fund our state's future workforce. As we face a workforce shortage, businesses most pressing issue is finding and retaining skilled workers. We need to invest in more opportunities to create the workforce of the future, not fewer.

### **Social Security**

The concern around the Social Security provisions relate to their cost and who benefits from them. This expensive item needs to be evaluated in light of the fact that in 2014, only 35 percent of social security benefits received by Minnesotans were taxable. Nearly half of all Minnesota households with Social Security income paid no tax on any of that income and would receive no benefit from this proposal. In addition, other seniors who have teachers, police, or nurse pensions would not have the same benefits available. Large tax cuts will disproportionately shift the costs of government to young families and the next generation.

### **Higher education**

H. F. 4 also creates a credit for taxpayers paying back students loans and a credit and subtraction for contributions to 529 college savings plans. Ensuring that Minnesotans can afford to go to college and don't graduate with significant debt is important, but this credit isn't the best solution to that problem, nor is a non-refundable tax credit with a maximum of \$500 likely to attract recent graduates to move to Minnesota. The money for these provisions would be better utilized on the front end by helping students avoid taking on the debt for which these credits are meant. Bigger investments in need based aid such as the State Grant program would have a more significant impact. That would also help ensure that the benefit from the state was going to those that truly needed it, rather than taxpayers who are already investing in 529 college savings plans.

### **Private Letter rulings and assessment limitations**

The provisions in article 8 on private letter rulings and assessment limitations will have significant effects on how the Department of Revenue currently works with customers. Instead of the Department's focus on providing all taxpayers with the information and tools they need to comply with their obligations under Minnesota law, this bill would create a specialized guidance program – at a significant cost to the state – that only serves those who can afford it. It will increase burdens during audit and result in longer audits, more document reviews, and more auditors in more business locations disrupting the ongoing business activities. It creates unfairness by treating those who file and pay on time the same as those who file and pay late.

### **Failing to help Minnesota families and communities**

H. F. 4 provides significant benefits to the wealthiest in Minnesota, businesses and special interests while leaving behind those that need relief most – families across the state working hard and struggling to pay the rent, buy groceries and raise their kids. It is unfortunate that this bill ignores the expansion of the Working Family Credit I proposed in January. This credit helps working families across Minnesota pay for basic needs and is a proven tool to fight poverty. This credit has enjoyed bipartisan support at the federal level and in Minnesota since studies have shown it is one of our most effective methods of reducing poverty and improving outcomes for families. Children who grow up in homes with more economic stability do better in school. Minnesota's economy depends on its most valuable asset – our people – we need to invest in all of them across all areas of the state to ensure our future prosperity.

### **Taconite Production Tax**

H. F. 4 includes language adjusting the distribution of taconite production tax revenues that was inserted in the tax bill without receiving a public hearing. The language will cause instability in the distribution of revenues and increase funding to the taconite industry at the expense of economic development in the region.

Instead of providing funding for essential government services provided by cities and counties, the bill micromanages local decision making. Local government aid and county program aid provide stable funding sources for first responders, roads, street maintenance, plowing and essential services. We need to fund local government aid and include ongoing funding to provide stability for local governments.

Counties also need resources to help implement the state's buffer law. The Riparian Aid provided in my tax bill will ensure they have needed resources. It is also unfortunate that a program to smooth the transition for the buffer requirements in current law – buffer compensation payments for farmers – was not included.

Rather than funding local government work, this bill contains several proposals taking decision making power away from local governments, or penalizing them based on how they choose to spend their money. These provisions place limitations on the local budgeting decisions of cities, counties, and the Destination Medical Center, creating a potential barrier to infrastructure and job growth. This includes prohibiting imposing fees or taxes on merchant-provided bags, disallowing any public money for a zip rail project between Rochester and the Twin Cities, and reducing LGA for cities that allow for defendants to enter into diversion programs for minor offenses.

This bill targets the city of Minneapolis by cutting library debt service aid, renegeing on a deal made by the state in 2013. This bill unnecessarily micromanages local governments and takes decisions out of their hands.

There are a number of additional provisions contained in the bill and provisions that are missing from it that are of great concern to me. The Commissioner's testimony and letters dated March 29, 2017, and April 4, 2017, have identified many of them. Ultimately, the priorities in the tax bill need to be measured against other components of the overall GOP budget. The GOP budget cuts \$768 million in taxes for businesses over four years, almost three times the GOP investment in E-12 education. Instead of putting any funding in voluntary pre-kindergarten, the GOP budget cuts \$53 million in taxes for the tobacco industry. The childcare assistance program receives minimal funding while the GOP budget cuts taxes for airplane fuel by \$11 million. Giving an \$8 million tax cut for products sold in vending machines is a larger priority in the GOP budget than increasing funding for child protection services. The GOP budget spends \$65 million more on estate tax cuts for the wealthiest Minnesotans than on needed additional investments to the engines of our state, Minnesota State and the University of Minnesota.

The cost of this bill, over \$1.1 billion dollars in the next biennium and \$1.4 billion in the following biennium, represent a return to the irresponsible budgeting of Minnesota's past. I will not compromise on the state's hard-earned fiscal stability. I am vetoing this bill because of the bill's costs and because of the misguided represented by the provisions in this bill and the important provisions for families from my tax bill that are missing from it. I hope we can work toward a tax bill, as a component of the overall state budget that serves Minnesota families.

Sincerely,

MARK DAYTON  
Governor

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Anderson, S.; Christensen; Anselmo; Haley and Peterson introduced:

H. F. No. 2669, A bill for an act relating to higher education; imposing a sexual harassment reporting requirement on the University of Minnesota; requesting that the legislative auditor review sexual harassment policies at the University of Minnesota; amending Minnesota Statutes 2016, section 135A.15, subdivision 6.

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

Carlson, L.; Johnson, C.; Hausman; Bly; Lien; Lee; Koegel; Lillie; Freiberg; Masin; Sandstede; Dehn, R.; Schultz; Ward; Fischer; Liebling; Davnie; Pinto; Rosenthal; Carlson, A.; Olson; Youakim; Moran; Bernardy and Hortman introduced:

H. F. No. 2670, A bill for an act relating to higher education; establishing a higher education account automatically funded by a general fund balance if the legislature does not fulfill its postsecondary funding policy; amending Minnesota Statutes 2016, section 16A.152, subdivisions 1b, 2, by adding a subdivision.

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

Carlson, L.; Johnson, C.; Sauke; Hausman; Bly; Lien; Lee; Lillie; Koegel; Freiberg; Masin; Sandstede; Dehn, R.; Schultz; Ward; Fischer; Loeffler; Liebling; Davnie; Pinto; Rosenthal; Carlson, A.; Youakim; Moran; Bernardy and Hortman introduced:

H. F. No. 2671, A bill for an act relating to higher education; automatically funding public higher education systems from a general fund balance if the legislature does not fulfill its postsecondary funding policy; amending Minnesota Statutes 2016, sections 16A.152, subdivisions 1b, 2, by adding a subdivision; 135A.01.

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

Rosenthal, Becker-Finn, Fischer, Hornstein and Hausman introduced:

H. F. No. 2672, A bill for an act relating to natural resources; providing for special rehabilitation permits to treat injured or orphaned wolves; amending Minnesota Statutes 2016, section 97A.401, subdivision 3.

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

Hansen and Wagenius introduced:

H. F. No. 2673, A bill for an act relating to capital investment; appropriating money for the closed landfill cleanup program; 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.

Dean, M.; Kiel; Miller; Franson and Layman introduced:

H. F. No. 2674, A bill for an act relating to local government; holding counties harmless for certain property tax appeals.

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

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 514.

CAL R. LUDEMAN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 514, A bill for an act relating to elections; modifying provisions related to elections and election administration; establishing a voting equipment grant; establishing uniform election dates, polling place hours, and polling places; requiring counties to administer school district elections; requiring additional voter data to be public; modifying voter status challenge provisions; establishing a provisional ballot system; appropriating money; amending Minnesota Statutes 2016, sections 3.088, subdivision 1; 13.15, subdivision 4; 13.607, by adding a subdivision; 13.6905, subdivision 33; 13.841, subdivision 3; 13.851, subdivision 10; 103B.545, subdivision 2; 123A.46, subdivision 12; 123A.48, subdivisions 14, 15; 123B.09, subdivision 5b; 123B.63, subdivision 3; 126C.17, subdivision 11; 126C.69, subdivision 11; 128D.05, subdivision 2; 200.02, subdivision 4, by adding subdivisions; 201.022, subdivision 1; 201.061, subdivisions 3, 4, 6; 201.091, subdivision 4; 201.121, subdivision 3; 201.225, subdivisions 1, 2, 6; 201.27, subdivision 2; 203B.01, subdivision 2; 203B.04, subdivision 1; 203B.05, subdivision 2; 203B.081, subdivision 1; 203B.085; 203B.11, subdivision 1; 203B.121, subdivisions 1, 2; 203B.15; 204B.09, subdivision 3; 204B.13, subdivision 1; 204B.16, subdivisions 1, 1a; 204B.181, subdivision 2; 204B.21, subdivision 2, by adding a subdivision; 204B.25, subdivision 4; 204B.29; 204B.32; 204B.40; 204B.46; 204C.08, subdivision 4; 204C.10; 204C.12, subdivisions 1, 2, 3; 204C.14, subdivision 1; 204C.20, subdivision 4; 204C.25; 204C.26, subdivision 3; 204C.27; 204C.28, subdivision 3; 204C.29, subdivision 1; 204C.32, subdivision 2; 204C.33, subdivision 3; 204C.36, subdivisions 1, 2, 3, 5; 204D.09, subdivision 1; 204D.19, by adding a subdivision; 205.065, subdivision 5; 205.07, subdivisions 1, 3; 205.10, subdivision 4, by adding a subdivision; 205.175; 205A.03, subdivisions 3, 4; 205A.04, subdivision 3; 205A.05, subdivisions 1, 2, 3, by adding a subdivision; 205A.055, subdivision 2; 205A.06, subdivisions 1, 1a, 2, 5; 205A.07, subdivisions 1, 2, 3, 3a, 3b; 205A.08, subdivision 5; 205A.10, subdivisions 1, 2, 3, 5; 205A.11, subdivision 2a; 206.805, subdivision 1; 208.04, subdivision 1; 209.021, subdivision 3; 211B.11, subdivision 1; 216B.46; 241.065, subdivision 2; 365A.06, subdivision 2; 367.33, subdivision 1; 375.101, subdivision 1; 375B.07, subdivision 2; 375B.10; 383B.031, subdivision 1; 383E.24, subdivision 7; 410.10, subdivision 1; 447.32, subdivision 2; 475.59; proposing coding for new law in Minnesota Statutes, chapters 201; 204C; repealing Minnesota Statutes 2016, sections 201.096; 201.15; 201.155; 201.157; 201.158; 204B.16, subdivision 3; 205.10, subdivision 3; 205A.09; 205A.11, subdivisions 2, 3; 205A.12, subdivision 5a.

The bill was read for the first time.

Fenton moved that S. F. No. 514 and H. F. No. 729, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

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

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Albright.

**CALENDAR FOR THE DAY**

S. F. No. 943 was reported to the House.

Nornes moved to amend S. F. No. 943, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2080, the first engrossment:

"Section 1. **APPROPRIATION.**

(a) \$50,000 in fiscal year 2018 and \$50,000 in fiscal year 2019 are appropriated from the general fund to the commissioner of the Office of Higher Education for a grant to the Loan Repayment Assistance Program of Minnesota to provide education debt relief to attorneys with full-time employment providing legal advice or representation to low-income clients or support services for this work.

(b) If an appropriation in this act is enacted more than once in the 2017 legislative session, the appropriation must be given effect only once."

Delete the title and insert:

"A bill for an act relating to higher education; appropriating money for an education debt relief grant."

The motion prevailed and the amendment was adopted.

S. F. No. 943, A bill for an act relating to higher education; appropriating money for an education debt relief grant; requiring a report.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Albright	Anderson, S.	Backer	Barr, R.	Bernardy	Carlson, L.
Allen	Anselmo	Bahr, C.	Becker-Finn	Bly	Clark
Anderson, P.	Applebaum	Baker	Bennett	Carlson, A.	Considine

Cornish	Gruenhagen	Knoblach	Masin	Pierson	Theis
Daniels	Gunther	Koegel	Maye Quade	Pinto	Thissen
Davids	Haley	Koznick	McDonald	Poppe	Torkelson
Davnie	Hamilton	Kresha	Metsa	Poston	Uglem
Dean, M.	Hausman	Kunesh-Podein	Moran	Pryor	Urdahl
Dehn, R.	Heintzeman	Layman	Murphy, E.	Pugh	Vogel
Dettmer	Hertaus	Lee	Murphy, M.	Quam	Wagenius
Ecklund	Hilstrom	Lesch	Nash	Rarick	Ward
Erickson	Hoppe	Liebling	Nelson	Rosenthal	West
Fabian	Hornstein	Lillie	Newberger	Runbeck	Whelan
Fenton	Hortman	Loeffler	Nornes	Sandstede	Wills
Fischer	Howe	Lohmer	O'Driscoll	Sauke	Youakim
Franke	Jessup	Loon	Olson	Schomacker	Zerwas
Franson	Johnson, B.	Loonan	O'Neill	Schultz	Spk. Daudt
Freiberg	Johnson, C.	Lueck	Pelowski	Slocum	
Garofalo	Johnson, S.	Mahoney	Peppin	Smith	
Green	Jurgens	Mariani	Petersburg	Sundin	
Grossell	Kiel	Marquart	Peterson	Swedzinski	

Those who voted in the negative were:

Christensen	Drazkowski	Hansen	Miller	Neu	Scott
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The bill was passed, as amended, and its title agreed to.

Lesch was excused between the hours of 2:10 p.m. and 2:25 p.m.

S. F. No. 1456 was reported to the House.

Garofalo moved to amend S. F. No. 1456, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1620:

**"Section 1. ONETIME EXCEPTION TO RESTRICTIONS ON USE OF MINNESOTA INVESTMENT FUND LOCAL GOVERNMENT LOAN REPAYMENT FUNDS.**

Notwithstanding Minnesota Statutes, section 116J.8731, subdivision 2, a home rule charter or statutory city, county, or town that has uncommitted money received from repayment of funds awarded under Minnesota Statutes, section 116J.8731, may choose to transfer 20 percent of the balance of that money to the state general fund before June 30, 2018. Any local entity that does so may then use the remaining 80 percent of the uncommitted money for any purposes not otherwise forbidden by law other than Minnesota Statutes, section 116J.8731."

The motion prevailed and the amendment was adopted.

S. F. No. 1456, A bill for an act relating to economic development; temporarily modifying the restrictions on use of Minnesota investment fund local government loan repayment funds.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Hansen	Liebling	Metsa	Thissen
Becker-Finn	Hilstrom	Mariani	Nelson	

The bill was passed, as amended, 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 bill to be placed on the Calendar for the Day for Thursday, May 18, 2017 and established a prefilng requirement for amendments offered to the following bill:

S. F. No. 550.

The following Conference Committee Report was received:

#### CONFERENCE COMMITTEE REPORT ON H. F. No. 140

A bill for an act relating to education; restructuring Minnesota's teacher licensing system; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06;

122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding a subdivision; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.245, subdivisions 1, 2, 3, 5, 6, 9, 10; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1, 2; 122A.245, subdivisions 7, 8; 122A.25.

May 15, 2017

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

The Honorable Michelle L. Fischbach  
President of the Senate

We, the undersigned conferees for H. F. No. 140 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 140 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD

Section 1. Minnesota Statutes 2016, section 122A.06, is amended to read:

**122A.06 DEFINITIONS.**

Subdivision 1. **Scope.** For the purpose of sections 122A.05 to ~~122A.09~~ 122A.093, the terms defined in this section have the meanings given them, unless another meaning is clearly indicated.

Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional employee required to hold a license from the Professional Educator Licensing and Standards Board of Teaching.

Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards Board of Teaching.

Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive, scientifically based reading instruction" includes a program or collection of instructional practices that is based on valid, replicable evidence showing that when these programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension.

Comprehensive, scientifically based reading instruction also includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing interventions so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.

(b) "Fluency" is the ability of students to read text with speed, accuracy, and proper expression.

(c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate individual sounds in spoken syllables and words.

(d) "Phonics" is the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading that stresses learning how letters correspond to sounds and how to apply this knowledge in reading and spelling.

(e) "Reading comprehension" is an active process that requires intentional thinking during which meaning is constructed through interactions between text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.

(f) "Vocabulary development" is the process of teaching vocabulary both directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich contexts, incidental learning, and use of computer technology enhance the acquiring of vocabulary.

(g) Nothing in this subdivision limits the authority of a school district to select a school's reading program or curriculum.

Subd. 5. **Field.** A "field" or "subject area" means the content area in which a teacher may become licensed to teach.

Subd. 6. **Shortage area.** "Shortage area" means:

(1) licensure fields and economic development regions reported by the commissioner of education or the Professional Educator Licensing and Standards Board as experiencing a teacher shortage; and

(2) economic development regions where there is a shortage of licensed teachers who reflect the racial or ethnic diversity of students in the region.

Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a program approved by the Professional Educator Licensing and Standards Board for the purpose of preparing individuals for a specific teacher licensure field in Minnesota. Teacher preparation programs include traditional programs delivered by postsecondary institutions, alternative teacher preparation programs, and nonconventional teacher preparation programs.

Subd. 8. **Teacher preparation program provider.** "Teacher preparation program provider" or "unit" means an entity that has primary responsibility for overseeing and delivering a teacher preparation program.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 2. Minnesota Statutes 2016, section 122A.07, is amended to read:

**122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.**

Subdivision 1. **Appointment of members.** The Professional Educator Licensing and Standards Board of Teaching consists of 11 members appointed by the governor, with the advice and consent of the senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term.

Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher education and the public, to be eligible for appointment to the Board of Teaching a person must be a teacher currently teaching in a Minnesota school and fully licensed for the position held and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment.~~ Each nominee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:

~~(1) six teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment and who do not qualify under clause (2) or (3), at least four of whom must be teaching in a public school, have at least five years of teaching experience, and were not serving in an administrative function at a school district or school when appointed. The six teachers must include the following:~~

~~(i) one teacher in a charter school;~~

~~(ii) one teacher from the seven-county metropolitan area, as defined in section 473.121, subdivision 2;~~

~~(iii) one teacher from outside the seven-county metropolitan area;~~

~~(iv) one teacher from a related service category licensed by the board;~~

~~(v) one special education teacher; and~~

~~(vi) one teacher from a teacher preparation program;~~

~~(2) one higher education representative, who must be a faculty member preparing teachers one superintendent that alternates each term between a superintendent from the seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from outside the metropolitan area;~~

~~(3) one school administrator district human resources director; and~~

~~(4) three members of the public, two of whom must be present or former members of school boards one administrator of a cooperative unit under section 123A.24, subdivision 2, who oversees a special education program;~~

~~(5) one principal that alternates each term between an elementary and a secondary school principal; and~~

~~(6) one member of the public that may be a current or former school board member.~~

Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

(1) two members must be appointed for terms that expire January 1, 2019;

(2) three members must be appointed for terms that expire January 1, 2020;

(3) three members must be appointed for terms that expire January 1, 2021; and

(4) three members must be appointed for terms that expire January 1, 2022.

(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from the effective date of this section, except that two members of the Board of Teaching as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).

Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching during the course of completing a board term, the position of a member who leaves Minnesota or whose employment status changes to a category different from that from which appointed is deemed vacant.

Subd. 4. **Administration, Terms, compensation; removal; vacancies.** ~~The provision of staff, administrative services and office space; the review and processing of complaints; the setting of fees; the selection and duties of an executive secretary~~ director to serve the board; and other provisions relating to board operations not provided in this chapter are as provided in chapter 214. Membership terms, except as provided in subdivision 2a, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(b) The Department of Administration must provide administrative support in accordance with section 16B.371. The commissioner of administration must assess the board for services it provides under this section.

(c) The Department of Education must provide suitable offices and other space to the board at reasonable cost until January 1, 2020. Thereafter, the board may contract with either the Department of Education or the Department of Administration for the provision of suitable offices and other space, joint conference and hearing facilities, and examination rooms.

Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional Educator Licensing and Standards Board may reimburse local school districts for the costs of substitute teachers employed when regular teachers are providing professional assistance to the state by serving on the board or on a committee or task force appointed by the board and charged to make recommendations concerning standards for teacher licensure in this state.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 3. Minnesota Statutes 2016, section 122A.08, is amended to read:

#### **122A.08 MEETINGS.**

Subdivision 1. **Meetings.** The Professional Educator Licensing and Standards Board ~~of Teaching~~ must meet regularly at the times and places as the board determines. Meetings must be called by the chair or at the written request of any eight members.

Subd. 2. **Executive secretary director.** The Professional Educator Licensing and Standards Board ~~of Teaching~~ must have an executive ~~secretary~~ director who is in the unclassified civil service and who is not a member of the board. The executive director must fulfill the duties provided in section 122A.09, subdivision 6. The board must review the performance of the executive director and set the salary of the executive director, not to exceed the limit for a position listed in section 15A.0815, subdivision 2.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards Board of Teaching must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

Subd. 2. **Advise members of profession.** The Professional Educator Licensing and Standards Board must act in an advisory capacity to members of the profession in matters of interpretation of the code of ethics.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

Subd. 3. **Election of chair and officers.** The Professional Educator Licensing and Standards Board shall elect a chair and such other officers as it may deem necessary.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

Subd. 4. ~~**License and rules**~~ **Licensing.** (a) The Professional Educator Licensing and Standards Board must ~~adopt rules to license public school teachers and interns subject to chapter 14.~~ license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its authority to make all licensing decisions with respect to candidates for teacher licensure. The board must evaluate candidates for compliance with statutory or rule requirements for licensure and develop licensure verification requirements.

~~(b) The board must require all candidates for teacher licensure to demonstrate a passing score on a board-adopted skills examination in reading, writing, and mathematics, as a requirement for an initial professional five-year teaching license, except that the board may issue up to four initial professional one-year teaching licenses to an otherwise qualified candidate who has not yet passed the board-adopted skills exam. The board must require colleges and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the board-adopted skills examination, including those for whom English is a second language. The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. The Board of Teaching and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during their secondary or postsecondary education.~~

~~(c) The board must adopt rules to approve teacher preparation programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.~~

~~(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research-based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. Among other components, teacher preparation programs may use the Minnesota State Colleges and Universities program model to provide a school year long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students ongoing mentorship, coaching, and assessment, help to prepare a professional development plan, and structured learning experiences. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning. The board's redesign rules must include creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college-ready learning offerings.~~

~~(e) The board must adopt rules requiring candidates for professional five-year teaching licenses to pass an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. The rules shall be effective by September 1, 2001. The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically-based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.~~

~~(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.~~

~~(g) The board must grant licenses to interns and to candidates for professional five-year teaching licenses based on appropriate professional competencies that are aligned with the board's licensing system and students' diverse learning needs. All teacher candidates must have preparation in English language development and content instruction for English learners in order to be able to effectively instruct the English learners in their classrooms. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students' diverse learning needs in the 21st century, recognizes the importance of cultural and linguistic competencies, including the ability to teach and communicate in culturally competent and aware ways, and formalizes mentoring and induction for newly licensed teachers provided through a teacher support framework.~~

~~(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.~~

~~(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses. The board must require a licensed teacher who is renewing a professional five-year teaching license to include in the renewal requirements further preparation in English language development and specially designed content instruction in English for English learners.~~

~~(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.~~

~~(k) The board must adopt rules that require all licensed teachers who are renewing their professional five year teaching licenses to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.~~

~~(l) In adopting rules to license public school teachers who provide health related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health related boards who license personnel who perform similar services outside of the school.~~

~~(m) The board must adopt rules that require all licensed teachers who are renewing their professional five year teaching licenses to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.~~

~~(n) The board must adopt rules that require all licensed teachers who are renewing their professional five year teaching licenses to include in their renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period that are based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this paragraph, and further preparation, first, in understanding the key warning signs of early onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.~~

~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications through the board's recognition of a teaching license from another state in a similar content field, completion of a state approved teacher preparation program, teaching experience as the teacher of record in a similar licensure field, depth of content knowledge, depth of content methods or general pedagogy, subject specific professional development and contribution to the field, or classroom performance as determined by documented student growth on normed assessments or documented effectiveness on evaluations. The rules must adopt criteria for determining a "similar content field" and "similar licensure area."~~

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

Subd. 4a. **Teacher and administrator preparation and performance data; report Reports.** ~~(a) The Board of Teaching and the Board of School Administrators, in cooperation with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges and universities offering board adopted teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Board of Teaching and the Board of School Administrators annually by June 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on a Web site hosted jointly by the boards. The Professional Educator Licensing and Standards Board must provide reports in accordance with section 122A.091.~~

~~(b) Publicly reported summary data on teacher preparation programs must include: student entrance requirements for each Board of Teaching approved program, including grade point average for enrolling students in the preceding year; the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year; summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time resident and nonresident program graduates in the preceding year needed to complete the program; the current number and percent of students by program who graduated, received a standard Minnesota teaching license, and were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year; the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate; students' pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year; survey results measuring student and graduate satisfaction with the program in the preceding school year; a standard measure of the satisfaction of school principals or supervising teachers with the student teachers assigned to a school or supervising teacher; and information under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.~~

~~(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include: summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time program graduates in the preceding year needed to complete the program; the current number and percent of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year; the number of credits by graduate program that students in the preceding school year needed to complete to graduate; survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year; and information under paragraphs (f) and (g). Program reporting must be consistent with section 122A.14, subdivision 10.~~

~~(d) School districts annually by October 1 must report to the Board of Teaching the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher primarily taught during the three year evaluation cycle; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.~~

~~(e) School districts annually by October 1 must report to the Board of Teaching the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year: the licensure areas in which the probationary teacher taught; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.~~

~~(f) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and the principal preparation program providing instruction to the principal or assistant principal.~~

~~(g) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.~~

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

Subd. 6. **Register of persons licensed.** The executive ~~secretary~~ director of the Professional Educator Licensing and Standards Board of Teaching ~~shall~~ must keep a record of the proceedings of and a register of all persons licensed pursuant to the provisions of this chapter. The register must show the name, address, license number and the renewal of the license. The board must on July 1, of each year or as soon thereafter as is practicable, compile a list of such duly licensed teachers ~~and transmit a copy of the list to the board.~~ A copy of the register must be available during business hours at the office of the board to any interested person.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

Subd. 7. ~~Commissioner's assistance; Professional Educator Licensing and Standards Board money.~~ **Professional Educator Licensing and Standards Board money.** ~~The commissioner shall provide all necessary materials and assistance for the transaction of the business of the Board of Teaching and~~ All moneys received by the Professional Educator Licensing and Standards Board of Teaching shall be paid into the state treasury as provided by law. The expenses of administering sections 120B.363, 122A.01, 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22, 122A.23, 122A.2451, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional Educator Licensing and Standards Board of Teaching shall be paid for from appropriations made to the Professional Educator Licensing and Standards Board of Teaching.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

Subd. 9. **Professional Educator Licensing and Standards Board may must adopt rules.** (a) The Professional Educator Licensing and Standards Board of Teaching ~~may~~ must adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23, 122A.26, 122A.28, and 122A.29.

(b) The board must adopt rules relating to fields of licensure, including a process for granting permission to a licensed teacher to teach in a field that is different from the teacher's field of licensure without change to the teacher's license tier level.

(c) The board must adopt rules relating to the grade levels that a licensed teacher may teach.

(d) If a rule adopted by the board is in conflict with a session law or statute, the law or statute prevails. Terms adopted in rule must be clearly defined and must not be construed to conflict with terms adopted in statute or session law.

(e) The board must include a description of a proposed rule's probable effect on teacher supply and demand in the board's statement of need and reasonableness under section 14.131.

(f) The board must adopt rules only under the specific statutory authority.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant waivers to its rules upon application by a school district or a charter school for purposes of implementing experimental programs in learning or management.

(b) To enable a school district or a charter school to meet the needs of students enrolled in an alternative education program and to enable licensed teachers instructing those students to satisfy content area licensure requirements, the Professional Educator Licensing and Standards Board of Teaching annually may permit a licensed teacher teaching in an alternative education program to instruct students in a content area for which the teacher is not licensed, consistent with paragraph (a).

(c) A special education license permission issued by the Professional Educator Licensing and Standards Board of Teaching for a primary employer's low-incidence region is valid in all low-incidence regions.

~~(d) The Board of Teaching may issue a one-year professional license under paragraph (a), which the board may renew two times, to allow a person holding a full credential from the American Montessori Society, a diploma from Association Montessori Internationale, or a certificate of completion from a program accredited by the Montessori Accreditation Council for Teacher Education to teach in a Montessori program operated by a school district or charter school.~~

~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow individuals who hold a bachelor's degree from an accredited postsecondary institution, demonstrate occupational competency based on at least three years of full-time work experience in business or industry, and enroll and make satisfactory progress in an alternative preparation program leading to certification as a career and technical education instructor to teach career and technical education courses offered by a school district or charter school. A candidate that has obtained career and technical education certification may apply for a Tier 1 license under section 122A.181. Consistent with this paragraph and section 136F.361, the Professional Educator Licensing and Standards Board of Teaching must strongly encourage approved college or university-based teacher preparation programs and institutions throughout Minnesota to develop alternative pathways for certifying and licensing high school career and technical education instructors and teachers, allowing such candidates to meet certification and licensure standards that demonstrate their content knowledge, classroom experience, and pedagogical practices and their qualifications based on a combination of occupational testing, professional certification or licensure, and long-standing work experience.~~

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 13. **[122A.091] REPORTS.**

Subdivision 1. **Teacher and administrator preparation and performance data; report.** (a) The Professional Educator Licensing and Standards Board and the Board of School Administrators, in cooperation with board-adopted teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Professional Educator Licensing and Standards Board and the Board of School Administrators annually by June 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on a Web site hosted jointly by the boards.

(b) Publicly reported summary data on teacher preparation programs must include:

(1) student entrance requirements for each Professional Educator Licensing and Standards Board-approved program, including grade point average for enrolling students in the preceding year;

(2) the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year;

(3) summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators;

(4) the average time resident and nonresident program graduates in the preceding year needed to complete the program;

(5) the current number and percentage of students by program who graduated, received a standard Minnesota teaching license, and were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(6) the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate;

(7) students' pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year;

(8) survey results measuring student and graduate satisfaction with the program in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(9) a standard measure of the satisfaction of school principals or supervising teachers with the student teachers assigned to a school or supervising teacher; and

(10) information under subdivision 3, paragraphs (a) and (b).

Program reporting must be consistent with subdivision 2.

(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include:

(1) summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and the years of experience either as kindergarten through grade 12 classroom teachers or school administrators;

(2) the average time program graduates in the preceding year needed to complete the program;

(3) the current number and percentage of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(4) the number of credits by graduate program that students in the preceding school year needed to complete to graduate;

(5) survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; and

(6) information under subdivision 3, paragraphs (c) and (d).

Program reporting must be consistent with section 122A.14, subdivision 10.

**Subd. 2. Teacher preparation program reporting.** (a) By December 31, 2018, and annually thereafter, the Professional Educator Licensing and Standards Board shall report and publish on its Web site the cumulative summary results of at least three consecutive years of data reported to the board under subdivision 1, paragraph (b). Where the data are sufficient to yield statistically reliable information and the results would not reveal personally identifiable information about an individual teacher, the board shall report the data by teacher preparation program.

(b) The Professional Educator Licensing and Standards Board must report annually to the chairs and ranking minority members of the legislative committees with jurisdiction over kindergarten through grade 12 education, the following information:

(1) the total number of teacher candidates during the most recent school year taking a board-adopted skills examination;

(2) the number who achieve a qualifying score on the examination;

(3) the number who do not achieve a qualifying score on the examination; and

(4) the candidates who have not passed a content or pedagogy exam.

The information reported under this paragraph must be disaggregated by categories of race, ethnicity, and eligibility for financial aid. The report must be submitted in accordance with section 3.195.

**Subd. 3. School district reports.** (a) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year:

(1) the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(2) the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and

(3) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(b) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year:

(1) the licensure areas in which the probationary teacher taught; and

(2) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(c) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year:

(1) the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and

(2) the principal preparation program providing instruction to the principal or assistant principal.

(d) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

Subd. 4. **State reports.** The Professional Educator Licensing and Standards Board must prepare reports in accordance with section 214.07.

Subd. 5. **Survey of districts.** (a) The Professional Educator Licensing and Standards Board must survey the state's school districts and teacher preparation programs and report to the education committees of the legislature by February 1, 2019, and each odd-numbered year thereafter, on the status of teacher early retirement patterns, the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the substitute teacher shortage, including patterns and shortages in licensure field areas and the economic development regions of the state.

(b) The report must also include:

(1) aggregate data on teachers' self-reported race and ethnicity;

(2) data on how districts are making progress in hiring teachers and substitute teachers in the areas of shortage; and

(3) a five-year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five-year period.

Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.184. The report must include the number of applicants for licensure in each tier, the number of applications granted and denied, summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure related rules.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 14. **[122A.092] TEACHER PREPARATION PROGRAMS.**

Subdivision 1. **Rules.** The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.2451, nonconventional programs, and Montessori teacher training programs.

Subd. 2. **Requirements for board approval.** Teacher preparation programs must demonstrate the following to obtain board approval:

(1) the program has implemented a research-based, results-oriented curriculum that focuses on the skills teachers need in order to be effective;

(2) the program provides a student teaching program;

(3) the program demonstrates effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes;

(4) the program includes a common core of teaching knowledge and skills. This common core shall meet the standards developed by the Interstate New Teacher Assessment and Support Consortium in its 1992 model standards for beginning teacher licensing and development. Amendments to standards adopted under this clause are subject to chapter 14. The Professional Educator Licensing and Standards Board shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this clause during the most recent school year;

(5) the program includes instruction on the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language and achievement in content areas in a regular classroom setting; and

(6) the program includes culturally competent training in instructional strategies consistent with section 120B.30, subdivision 1, paragraph (q).

Subd. 3. **Specialized credentials.** The board must adopt rules creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project- and place-based learning, among other career and college readiness learning offerings.

Subd. 4. **Teacher educators.** The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary and secondary teaching environments.

Subd. 5. **Reading strategies.** (a) All colleges and universities approved by the Professional Educator Licensing and Standards Board to prepare persons for classroom teacher licensure must include in their teacher preparation programs research-based best practices in reading, consistent with section 122A.06, subdivision 4, that enables the licensure candidate to teach reading in the candidate's content areas. Teacher candidates must be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills. These colleges and universities also must prepare early childhood and elementary teacher candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering assessment of reading instruction.

(b) Board-approved teacher preparation programs for teachers of elementary education must require instruction in applying comprehensive, scientifically based, and balanced reading instruction programs that:

(1) teach students to read using foundational knowledge, practices, and strategies consistent with section 122A.06, subdivision 4, so that all students achieve continuous progress in reading; and

(2) teach specialized instruction in reading strategies, interventions, and remediations that enable students of all ages and proficiency levels to become proficient readers.

(c) Nothing in this section limits the authority of a school district to select a school's reading program or curriculum.

Subd. 6. **Technology strategies.** All colleges and universities approved by the Professional Educator Licensing and Standards Board to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to engage students with technology and deliver digital and blended learning and curriculum.

Subd. 7. **Student teaching program.** A teacher preparation program may provide a year-long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students:

- (1) ongoing mentorship;
- (2) coaching;
- (3) assessment;
- (4) help to prepare a professional development plan; and
- (5) structured learning experiences.

Subd. 8. **Existing programs.** The approval of teacher preparation programs approved by the Board of Teaching before the effective date of this section must remain in effect unless and until the Professional Educator Licensing and Standards Board denies approval or reapproves the program.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 15. **[122A.093] FRAUD; GROSS MISDEMEANOR.**

A person who claims to be a licensed teacher without a valid existing license issued by the board or any person who employs fraud or deception in applying for or securing a license is guilty of a gross misdemeanor.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 16. Minnesota Statutes 2016, section 122A.22, is amended to read:

**122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

No person shall be accounted a qualified teacher until the school district or charter school contracting with the person for teaching services verifies through the Minnesota education licensing system available on the ~~department~~ Professional Educator Licensing and Standards Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and 122A.44, subdivision 1.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 17. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's school districts and teacher preparation programs and report to the education committees of the legislature by February 1 of each odd-numbered year until 2018 on the status of teacher early retirement patterns, the access to effective and more diverse teachers

who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the substitute teacher shortage, including patterns and shortages in subject areas and the economic development regions of the state. The report must also include: aggregate data on teachers' self-reported race and ethnicity; data on how districts are making progress in hiring teachers and substitutes in the areas of shortage; and a five-year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five-year period.

Sec. 18. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private Detective and Protective Agent Services; the Board of Peace Officer Standards and Training; and the commissioner of revenue with respect to the Board of Assessors, shall provide suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, consulting services relating to evaluation procedures and techniques, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. Investigative services shall be provided the boards by employees of the Office of Attorney General. The commissioner of health with respect to the health-related licensing boards shall provide mailing and office supply services and may provide other facilities and services listed in this subdivision at a central location upon request of the health-related licensing boards. The commissioner of commerce with respect to the remaining non-health-related licensing boards shall provide the above facilities and services at a central location for the remaining non-health-related licensing boards. The legal and investigative services for the boards shall be provided by employees of the attorney general assigned to the departments servicing the boards. Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation. Persons providing legal and investigative services shall to the extent practicable provide the services on a regular basis to the same board or boards.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 19. Minnesota Statutes 2016, section 214.045, is amended to read:

**214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD OF TEACHING.**

The commissioner of health and the health-related licensing boards must coordinate with the Professional Educator Licensing and Standards Board of Teaching when modifying licensure requirements for regulated persons in order to have consistent regulatory requirements for personnel who perform services in schools.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 20. **TRANSFER OF POWERS.**

(a) The creation of the Professional Educator Licensing and Standards Board shall be considered a transfer by law of the responsibilities of the Board of Teaching and the Minnesota Department of Education with respect to licensure and credentialing of teachers and school personnel to the Professional Educator Licensing and Standards Board for purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions associated with the responsibilities being transferred to the Professional Educator Licensing and Standards Board are transferred with their incumbents to the new agency pursuant to Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota Statutes, section 122A.07.

(b) The responsibilities of the Minnesota Department of Education with respect to licensure of school administrators are transferred by law to the Board of School Administrators for purposes of section 15.039.

(c) The responsibilities of the Minnesota Department of Education with respect to the survey of districts under section 127A.05, subdivision 6, and the staff automated reporting (STAR) system, are transferred by law to the Professional Educator Licensing and Standards Board for purposes of section 15.039.

(d) The Professional Educator Licensing and Standards Board must review all rules adopted by the Board of Teaching and amend or repeal rules not consistent with statute. The Professional Educator Licensing and Standards Board must review all teacher preparation programs approved by the Board of Teaching to determine whether the approved programs meet the needs of schools in Minnesota.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

**Sec. 21. FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.**

(a) The governor shall make appointments to the Professional Educator Licensing and Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor shall designate one member of the board to convene the first meeting by February 1, 2018, and to act as chair until the board elects a chair at its first meeting. The first superintendent appointed under Minnesota Statutes, section 122A.07, subdivision 2, clause (2), must be from outside the metropolitan area. The governor is encouraged to consider eligible candidates that have previously served on the Board of Teaching for appointment to the Professional Educator Licensing and Standards Board.

(b) The terms of the first members appointed to the board do not count towards the term limit under Minnesota Statutes, section 122A.07, subdivision 1, if the term expires before 2022.

(c) Beginning October 2, 2017, the board members appointed by the governor under paragraph (a) may informally organize and prepare for their terms. The appointee representing the superintendent member must convene the first transition meeting. At the first meeting, the appointees must select a chairperson to lead the transition meetings. Between October 2, 2017, and January 1, 2018, the board members must begin the selection process for the executive director under Minnesota Statutes, section 122A.08, subdivision 2. The board members' transition meetings are subject to the Open Meeting Law under Minnesota Statutes, chapter 13D.

**Sec. 22. REVISOR INSTRUCTION.**

In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the term "Professional Educator Licensing and Standards Board" for "Board of Teaching" wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching. The revisor shall also make grammatical changes related to the change in terms.

**Sec. 23. REPEALER.**

Minnesota Statutes 2016, section 122A.09, subdivisions 5, 8, and 11, are repealed.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

ARTICLE 2  
LICENSURE

Section 1. Minnesota Statutes 2016, section 122A.17, is amended to read:

### **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

(a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and Standards Board must not affect the validity of certificates or licenses to teach in effect on July 1, 1974, or the rights and privileges of the holders thereof, except that any such certificate or license may be suspended or revoked for any of the causes and by the procedures specified by law.

(b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional year after the date the license is scheduled to expire.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 2. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. **Authority to license.** (a) ~~The Professional Educator Licensing and Standards Board of Teaching must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2.~~ issue the following teacher licenses to candidates who meet the qualifications prescribed by this chapter:

(1) Tier 1 license under section 122A.181;

(2) Tier 2 license under section 122A.182;

(3) Tier 3 license under section 122A.183; and

(4) Tier 4 license under section 122A.184.

(b) The Board of School Administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

~~(c) Licenses under the jurisdiction of the Board of Teaching, the Board of School Administrators, and the commissioner of education must be issued through the licensing section of the department.~~

~~(d)~~ (c) The Professional Educator Licensing and Standards Board of Teaching and the Department of Education must enter into a data sharing agreement to share:

(1) educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern; and

(2) data in the staff automated reporting system for the limited purpose of managing and processing funding to school districts and other entities.

~~(d)~~ (d) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d), the Professional Educator Licensing and Standards Board of Teaching, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

Subd. 2. **Teacher and Support personnel qualifications.** ~~(a)~~ The Professional Educator Licensing and Standards Board of Teaching must issue licenses and credentials under its jurisdiction to persons the board finds to be qualified and competent for ~~their respective positions, including those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n)~~ support personnel positions in accordance with section 120B.36.

~~(b) The board must require a candidate for teacher licensure to demonstrate a passing score on a board adopted examination of skills in reading, writing, and mathematics, before being granted a professional five year teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs, except that the board may issue up to four temporary, one year teaching licenses to an otherwise qualified candidate who has not yet passed a board adopted skills exam. At the request of the employing school district or charter school, the Board of Teaching may issue an initial professional one year teaching license to an otherwise qualified teacher not passing or demonstrating a passing score on a board adopted skills examination in reading, writing, and mathematics. For purposes of this section, the initial professional one year teaching license issued by the board is limited to the current subject or content matter the teacher is employed to teach and limited to the district or charter school requesting the initial professional one year teaching license. If the board denies the request, it must provide a detailed response to the school administrator as to the reasons for the denial. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on a board adopted skills examination, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of candidates' deficiency. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on a board adopted skills examination, and who received an initial professional one year teaching license to teach in Minnesota. The Board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking a board adopted skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, and the candidates who have not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.~~

~~(c) The Board of Teaching must grant professional five year teaching licenses only to those persons who have met board criteria for that license, which includes passing a board adopted skills examination in reading, writing, and mathematics, and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph. The requirement to pass a board adopted reading, writing, and mathematics skills examination, does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a professional five year teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.~~

~~(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. Among other requirements, teacher candidates must demonstrate the~~

knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in a regular classroom setting. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002,~~ The Professional Educator Licensing and Standards Board of Teaching must adopt rules providing for reading teacher licensure.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and Standards Board of Teaching may allow a person who otherwise qualifies for a Tier 1 license in accordance with section 122A.181, subdivision 2, or is enrolled in and making satisfactory progress in a board-approved teacher program and who has successfully completed student teaching to be employed as a short-call substitute teacher.

(b) The Professional Educator Licensing and Standards Board of Teaching may issue a lifetime qualified short-call or long-call substitute teaching license to a person who:

(1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184, respectively, and receives a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement Fund Association;

(2) holds an out-of-state teaching license and receives a retirement annuity as a result of the person's teaching experience; or

(3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184, respectively, taught at least three school years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

A person holding a lifetime qualified short-call or long-call substitute teaching license is not required to complete continuing education clock hours. A person holding this license may reapply to the board for either:

(i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, and must again complete continuing education clock hours one school year after receiving the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

(ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's degree, an associate's degree, or an appropriate professional credential in the content area the candidate will teach, in accordance with section 122A.181, subdivision 2.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board of Teaching shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90 for an online application or \$86.40 for a paper application. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in sections 122A.18 to 122A.184.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards Board of Teaching and the commissioner of education the Board of School Administrators must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all first-time teaching applicants for licenses under their jurisdiction. Applicants must include with their licensure applications:

- (1) an executed criminal history consent form, including fingerprints; and
- (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension for the fee for conducting the criminal history background check.

(b) The superintendent of the Bureau of Criminal Apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data as defined in section 13.87 and shall also conduct a search of the national criminal records repository. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The Professional Educator Licensing and Standards Board of Teaching or the commissioner of education Board of School Administrators may issue a license pending completion of a background check under this subdivision, but must notify the individual and the school district or charter school employing the individual that the individual's license may be revoked based on the result of the background check.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 122A.18, is amended by adding a subdivision to read:

Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards Board must adopt rules establishing a process for an eligible candidate to obtain any teacher license under subdivision 1, or to add a licensure field, via portfolio. The portfolio licensure application process must be consistent with the requirements in this subdivision.

(b) A candidate for a license must submit to the board one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the board one portfolio demonstrating content competence for each licensure field the candidate seeks to add.

(d) The board must notify a candidate who submits a portfolio under paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not the portfolio is approved. If the portfolio is not approved, the board must immediately inform the candidate how to revise the portfolio to successfully demonstrate the requisite competence. The candidate may resubmit a revised portfolio at any time and the board must approve or disapprove the revised portfolio within 60 calendar days of receiving it.

(e) A candidate must pay to the board a \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio submitted subsequently. The revenue generated from the fee must be deposited in an education licensure portfolio account in the special revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The board may waive or reduce fees for candidates based on financial need.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 9. **[122A.181] TIER 1 LICENSE.**

Subdivision 1. **Application requirements.** The Professional Educator Licensing and Standards Board must approve a request from a district or charter school to issue a Tier 1 license in a specified content area to a candidate if:

(1) the candidate meets the professional requirement in subdivision 2;

(2) the district or charter school affirms that the candidate has the necessary skills and knowledge to teach in the specified content area; and

(3) the district or charter school demonstrates that:

(i) a criminal background check has been completed on the candidate; and

(ii) the district or charter school has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

Subd. 2. **Professional requirements.** (a) A candidate for a Tier 1 license must have a bachelor's degree to teach a class or course outside a career and technical education or career pathways course of study.

(b) A candidate for a Tier 1 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study:

(1) an associate's degree;

(2) a professional certification; or

(3) five years of relevant work experience.

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to paragraphs (b) and (c). The board may submit written comments to the district or charter school that requested the renewal regarding the candidate.

(b) The Professional Educator Licensing and Standards Board must renew a Tier 1 license if:

(1) the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position; and

(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license.

The requirement in clause (2) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.

(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.

Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must accept applications for a Tier 1 teaching license beginning July 1 of the school year for which the license is requested and must issue or deny the Tier 1 teaching license within 30 days of receiving the completed application.

Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter indicated on the application for the initial Tier 1 license under subdivision 1, paragraph (a), clause (2), and limited to the district or charter school that requested the initial Tier 1 license.

(b) A Tier 1 license does not bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

(c) A Tier 1 license does not bring an individual within the definition of a teacher under section 179A.03, subdivision 18.

Subd. 6. **Mentorship and evaluation.** (a) A teacher holding a Tier 1 license must participate in the employing district or charter school's mentorship program.

(b) A teacher holding a Tier 1 license must participate in an evaluation aligned, to the extent practicable, with the evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 10. **[122A.182] TIER 2 LICENSE.**

Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards Board must approve a request from a district or charter school to issue a Tier 2 license in a specified content area to a candidate if:

(1) the candidate meets the educational or professional requirements in paragraph (b) or (c);

(2) the candidate:

(i) has completed the coursework required under subdivision 2;

(ii) is enrolled in a Minnesota-approved teacher preparation program; or

(iii) has a master's degree in the specified content area; and

(3) the district or charter school demonstrates that a criminal background check has been completed on the candidate.

(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside a career and technical education or career pathways course of study.

(c) A candidate for a Tier 2 license must have one of the following credentials in a relevant content area to teach a class or course in a career and technical education or career pathways course of study:

- (1) an associate's degree;
- (2) a professional certification; or
- (3) five years of relevant work experience.

Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework requirement by demonstrating completion of two of the following:

- (1) at least eight upper division or graduate-level credits in the relevant content area;
- (2) field-specific methods of training, including coursework;
- (3) at least two years of teaching experience in a similar content area in any state, as determined by the board;
- (4) a passing score on the pedagogy and content exams under section 122A.185; or
- (5) completion of a state-approved teacher preparation program.

(b) For purposes of paragraph (a), "upper division" means classes normally taken at the junior or senior level of college which require substantial knowledge and skill in the field. Candidates must identify the upper division credits that fulfill the requirement in paragraph (a), clause (1).

Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed three times. The board must issue rules setting forth the conditions for additional renewals after the initial license has been renewed three times.

Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must accept applications for a Tier 2 teaching license beginning July 1 of the school year for which the license is requested and must issue or deny the Tier 2 teaching license within 30 days of receiving the completed application.

Subd. 5. **Limitations on license.** (a) A Tier 2 license is limited to the content matter indicated on the application for the initial Tier 2 license under subdivision 1, paragraph (a), and limited to the district or charter school that requested the initial Tier 2 license.

(b) A Tier 2 license shall not be construed to bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

Subd. 6. **Application toward probationary period.** (a) The time that a teacher works under a Tier 2 license must be credited towards the teacher's three-year probationary period under section 122A.40, subdivision 5, or 122A.41, subdivision 2.

(b) The time credited towards the probationary period under paragraph (a) must not exceed two years.

(c) The three years of the probationary period, including any time credited under this subdivision, must run consecutively, consistent with section 122A.40, subdivision 5, or section 122A.41, subdivision 2.

Subd. 7. **Mentorship and evaluation.** (a) A teacher holding a Tier 2 license must participate in the employing district or charter school's mentorship and evaluation program, including an individual growth and development plan.

(b) A teacher holding a Tier 2 license must participate in an evaluation aligned, to the extent practicable, with the evaluation under section 122A.40, subdivision 8, or section 122A.41, subdivision 5.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 11. **[122A.183] TIER 3 LICENSE.**

Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards Board must issue a Tier 3 license to a candidate who provides information sufficient to demonstrate all of the following:

(1) the candidate meets the educational or professional requirements in paragraphs (b) and (c);

(2) the candidate has obtained a passing score on the required licensure exams under section 122A.185; and

(3) the candidate has completed the coursework required under subdivision 2.

(b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or course outside a career and technical education or career pathways course of study.

(c) A candidate for a Tier 3 license must have one of the following credentials in a relevant content area to teach a class or course in a career and technical education or career pathways course of study:

(1) an associate's degree;

(2) a professional certification; or

(3) five years of relevant work experience.

In consultation with the Governor's Workforce Development Council established under section 116L.665, the board must establish a list of qualifying certifications, and may add additional professional certifications in consultation with school administrators, teachers, and other stakeholders.

Subd. 2. **Coursework.** A candidate for a Tier 3 license must meet the coursework requirement by demonstrating one of the following:

(1) completion of a Minnesota-approved teacher preparation program;

(2) completion of a state-approved teacher preparation program that includes field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The field-specific student teaching requirement does not apply to a candidate that has two years of teaching experience;

(3) submission of a content-specific licensure portfolio;

(4) a professional teaching license from another state, evidence that the candidate's license is in good standing, and two years of teaching experience;

(5) three years of teaching experience under a Tier 2 license, and evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41, subdivision 5; or

(6) a passing score on all licensure examinations under section 122A.185 and five years of teaching experience as the teacher of record in any state.

Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board must issue an initial Tier 3 license for a term of three years. A Tier 3 license may be renewed every three years without limitation.

Subd. 4. **Mentorship and evaluation.** A teacher holding a Tier 3 license must participate in the employing district or charter school's mentorship and evaluation program, including an individual growth and development plan.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 12. **[122A.184] TIER 4 LICENSE.**

Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards Board must issue a Tier 4 license to a candidate who provides information sufficient to demonstrate all of the following:

(1) the candidate meets all requirements for a Tier 3 license under section 122A.183, and has met the coursework requirements under section 122A.183, subdivision 2, clause (1) or (2);

(2) the candidate has at least three years of teaching experience in Minnesota;

(3) the candidate has obtained a passing score on all required licensure exams under section 122A.185; and

(4) the candidate's most recent summative teacher evaluation did not result in placing or otherwise keeping the teacher in an improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

Subd. 2. **Term of license.** The Professional Educator Licensing and Standards Board must issue an initial Tier 4 license for a term of five years. A Tier 4 license may be renewed every five years without limitation.

Subd. 3. **Mentorship and evaluation.** A teacher holding a Tier 4 license must participate in the employing district or charter school's mentorship and evaluation program, including an individual growth and development plan.

Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 4 license established under this section and section 122A.18. An expired five-year license issued by the commissioner of education before the effective date of this section fulfills the requirements of subdivision 1 for purposes of future licensure by the Professional Educator Licensing and Standards Board.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 13. **[122A.185] TEACHER LICENSURE ASSESSMENT.**

Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics before being granted a Tier 4 teaching license under section 122A.184 to provide direct instruction to

pupils in elementary, secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to pupils in elementary, secondary, or special education programs if candidates meet the other requirements in section 122A.181, 122A.182, or 122A.183, respectively.

(b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to pass an examination of general pedagogical knowledge and examinations of licensure field specific content. The content examination requirement does not apply if no relevant content exam exists.

(c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must pass test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, knowledge and understanding of the foundations of reading development, development of reading comprehension and reading assessment and instruction, and the ability to integrate that knowledge and understanding into instruction strategies under section 122A.06, subdivision 4.

(d) The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.

Subd. 2. **Passing scores.** The board must establish passing scores in all examinations required for licensure.

Subd. 3. **Testing accommodations.** The board and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during the applicant's secondary or postsecondary education.

Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on a board-adopted skills examination, including those for whom English is a second language. The teacher preparation programs must make available assistance in the specific academic areas of candidates' deficiency.

(b) School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2, or Tier 3 license under sections 122A.181, 122A.182, or 122A.183, respectively, to teach in Minnesota.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 14. **[122A.187] EXPIRATION AND RENEWAL.**

Subdivision 1. **License form requirements.** Each license issued under this chapter must bear the date of issue and the name of the state-approved teacher training provider or alternative teaching program, as applicable. Licenses must expire and be renewed according to rules adopted by the Professional Educator Licensing and Standards Board or the Board of School Administrators. The rules adopted by the Professional Educator Licensing and Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or

completing such additional preparation as required under this section, or as the Professional Educator Licensing and Standards Board prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The Professional Educator Licensing and Standards Board shall establish requirements for renewing the licenses of athletic coaches.

Subd. 2. **Local committees.** The Professional Educator Licensing and Standards Board must receive recommendations from local committees as established by the board for the renewal of teaching licenses.

Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, who have been employed as a teacher during the renewal period of the expiring license, as a condition of license renewal, must present to their local continuing education and relicensure committee or other local relicensure committee evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, cultural competence in accordance with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's most recent summative evaluation or improvement plan under section 122A.40, subdivision 8, or 122A.41, subdivision 5.

(b) The Professional Educator Licensing and Standards Board must ensure that its teacher relicensing requirements include paragraph (a).

Subd. 4. **Behavior interventions.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

Subd. 6. **Mental illness.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this subdivision, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 15. **[122A.188] LICENSURE DENIAL; APPEAL.**

Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards Board must inform a candidate within 30 days of receiving a completed application whether the candidate's application for an initial teaching license or renewal of license has been approved or denied. A completed application must include all

supporting information and the results of the background check or conduct determination by the board. When an application is denied, the notification letter must inform the candidate of the process for seeking review of the denial and of the appeals process provided in this section, including all deadlines for seeking review of the denial decision and filing an appeal. The notification letter must identify each licensure requirement the candidate failed to meet.

(b) For purposes of this section, "denial" means denial of an initial license or a denial of a renewal license. Denial of an initial license includes a grant of a license that is a lower tier than the candidate applied for and denial of application for an additional field of licensure.

Subd. 2. **Review of denial.** A candidate whose license application is denied may seek review of the denial by submitting a letter to the Professional Educator Licensing and Standards Board within 30 calendar days of receipt of the denial letter. The candidate may include any documentation necessary to demonstrate that the candidate meets the licensure requirements. The board must review the denial within 60 calendar days of receipt of the letter seeking review. If the board affirms the denial, the board must send the candidate a letter identifying each licensure requirement the candidate failed to meet and informing the candidate of the appeal process provided under this section.

Subd. 3. **Appeal.** A candidate whose application for license or license renewal has been denied under subdivisions 1 and 2 may appeal the decision by filing a written request with the Professional Educator Licensing and Standards Board within 30 days of notice that the board has affirmed the denial of license. The board must then initiate a contested case under the Administrative Procedure Act, sections 14.001 to 14.69.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 16. Minnesota Statutes 2016, section 122A.19, is amended to read:

#### **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS; LICENSES.**

Subdivision 1. **Bilingual and English as a second language licenses.** The Professional Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant teaching licenses in bilingual education and English as a second language to persons who present satisfactory evidence that they:

- ~~(a)~~ (1) possess competence and communicative skills in English and in another language;
- ~~(b)~~ (2) possess a bachelor's degree or other academic degree approved by the board, and meet such requirements as to course of study and training as the board may prescribe, consistent with subdivision 4; and
- (3) meet all other requirements for a teaching license provided in sections 122A.18 to 122A.184.

Subd. 2. **Persons holding ~~general~~ teaching licenses.** The board may license a person who holds a ~~general~~ teaching license in any tier under sections 122A.181 to 122A.184, respectively, and who presents the board with satisfactory evidence of competence and communicative skills in a language other than English under this section.

Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual and English as a second language teachers, the board may approve programs at colleges or universities designed for their training. ~~These~~

(b) Programs that prepare English as a second language teachers must provide instruction in implementing research-based practices designed specifically for English learners. The programs must focus on developing English learners' academic language proficiency in English, including oral academic language, giving English learners

meaningful access to the full school curriculum, developing culturally relevant teaching practices appropriate for immigrant students, and providing more intensive instruction and resources to English learners with lower levels of academic English proficiency and varied needs, consistent with section 124D.59, subdivisions 2 and 2a.

Subd. 5. **Persons eligible for employment.** Any person licensed under this section is eligible for employment by a school board as a teacher in a bilingual education or English as a second language program in which the language for which the person is licensed is taught or used as a medium of instruction. A board may prescribe only those additional qualifications for teachers licensed under this section that are approved by the board of teaching.

Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program positions, districts must give preference to and make affirmative efforts to seek, recruit, and employ persons who (1) are native speakers of the language which is the medium of instruction in the bilingual education program or share a native language with the majority of their students, and (2) share the culture of the English learners enrolled in the program. The district shall provide procedures for involving the parent advisory committees in designing the procedures for recruiting, screening, and selecting applicants. This section must not be construed to limit the school board's authority to hire and discharge personnel.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 17. Minnesota Statutes 2016, section 122A.20, is amended to read:

**122A.20 SUSPENSION OR REVOCATION OF LICENSES.**

Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) immoral character or conduct;
- (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) gross inefficiency or willful neglect of duty;
- (4) failure to meet licensure requirements; or
- (5) fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges.

(b) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352, interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, possessing pornographic works involving a

minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual abuse is reversed by a final decision of the Court of Appeals or the Supreme Court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

(d) For purposes of this subdivision, the Professional Educator Licensing and Standards Board of Teaching is delegated the authority to suspend or revoke coaching licenses.

Subd. 2. **Mandatory reporting.** (a) A school board must report to the Professional Educator Licensing and Standards Board of Teaching, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

(b) The licensing board to which a report is made must transmit to the Attorney General's Office any record or data it receives under this subdivision for the sole purpose of having the Attorney General's Office assist that board in its investigation. When the Attorney General's Office has informed an employee of the appropriate licensing board in writing that grounds exist to suspend or revoke a teacher's license to teach, that licensing board must consider suspending or revoking or decline to suspend or revoke the teacher's or administrator's license within 45 days of receiving a stipulation executed by the teacher or administrator under investigation or a recommendation from an administrative law judge that disciplinary action be taken.

(c) The Professional Educator Licensing and Standards Board and Board of School Administrators must report to the appropriate law enforcement authorities a revocation, suspension, or agreement involving a loss of license, relating to a teacher or administrator's inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement authority" means a police department, county sheriff, or tribal police department. A report by the Professional Educator Licensing and Standards Board to appropriate law enforcement authorities does not diminish, modify, or otherwise affect the responsibilities of a school board or any person mandated to report abuse under section 626.556.

Subd. 3. **Immunity from liability.** A school board, its members in their official capacity, and employees of the district run by the board are immune from civil or criminal liability for reporting or cooperating as required under subdivision 2, if their actions required under subdivision 2 are done in good faith and with due care.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 18. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding any other law to the contrary, the Professional Educator Licensing and Standards Board of Teaching must enter into a National Association of State Directors of Teacher Education and Certification (NASDTEC) interstate agreement and other interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.

(b) The Professional Educator Licensing and Standards Board of Teaching must work with designated authorities in adjoining states to establish interstate teacher licensure agreements under this section.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 19. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.**

Subdivision 1. Definitions. (a) "Provider" or "unit" means an eligible entity that seeks or has obtained approval for an alternative teacher preparation program consistent with this section.

(b) "Program" means content provided by a provider that leads toward licensure in a specific content area.

Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure outside of the traditional means, improve ethnic and cultural diversity in the classroom, and to close the achievement gap, the Professional Educator Licensing and Standards Board must approve qualified teacher preparation providers and programs under this section that are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a Tier 3 license under section 122A.181.

Subd. 3. **Eligibility.** A school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose is eligible to participate under this section. An eligible entity may apply for provider and program approval simultaneously.

Subd. 4. **Provider approval.** An eligible entity must be approved as a provider before being approved to provide programs towards licensure. The Professional Educator Licensing and Standards Board must approve eligible entities under subdivision 3 that meet the following requirements:

(1) has evidence and history of fiscal solvency, capacity, and operation;

(2) has evidence of necessary infrastructure to provide accurate, timely, and secure data for the purposes of admission, candidate monitoring, testing, background checks, and license recommendations;

(3) has policies and procedures in place ensuring the security of candidate records under the federal Family Educational Rights and Privacy Act; and

(4) has the instructional capacity or ability to obtain the instructional capacity to provide an adequate instructional phase under subdivision 5.

Subd. 5. **Program approval.** The board must approve programs offered by approved providers based on nontraditional criteria. An approved program must have the following characteristics:

(1) an instructional phase that provides intensive preparation and classroom experience that is commensurate with the scope of licensure standards defined under rule, before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) a strategy to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) provide assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program, and to support efforts to successfully complete the program;

(5) provide intensive and ongoing professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, mentoring and peer review, focused on standards of professional practice and continuous professional growth; and

(6) a process to review a candidate's final proficiency of required licensure content standards that leads to potential candidate recommendation by the provider to the board for a Tier 3 teaching license under subdivision 8.

Subd. 6. **Nontraditional means; program instructors.** (a) The board must permit alternative teacher preparation providers and teacher candidates to demonstrate pedagogy and content standard proficiency in school-based programs and through other nontraditional means. Nontraditional means may include previous work experiences, teaching experiences, educator evaluations, industry-recognized certifications, and other essentially equivalent demonstrations.

(b) The board must use nontraditional criteria to determine qualifications of program instructors, including permitting instructors to hold a baccalaureate degree only.

Subd. 7. **Program disapproval, suspension.** If the board determines that a teacher preparation provider or licensure program fails to meet or is deficient in any of the requirements of subdivision 5, it may suspend or revoke the approval of the provider or program after it notifies the provider of the deficiencies and gives the provider an opportunity to remedy the deficiencies.

Subd. 8. **Candidate program completion; teacher licensure.** (a) A candidate that completes an approved program must apply for a license under the tiered licensure system according to section 122A.181.

(b) A person who successfully completes another state's alternative teacher preparation licensure program may apply to the Professional Educator Licensing and Standards Board for a Tier 3 license.

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 20. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** A person who teaches in a community education program which qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements as a teacher. A person who teaches in an early childhood and family education program which is offered through a community education program and which qualifies for community education aid pursuant to section 124D.20 or early childhood and family education aid pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A person who teaches in a community education course which is offered for credit for graduation to persons under 18 years of age shall continue to meet licensure requirements as a teacher. A person who teaches a driver training course which is offered through a community education program to persons under 18 years of age shall be licensed by the Professional Educator Licensing and Standards Board of Teaching or be subject to section 171.35. A license which is required for an instructor in a community education program pursuant to this subdivision shall not be construed to bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 21. Minnesota Statutes 2016, section 122A.28, is amended to read:

**122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS; LICENSURE REQUIREMENTS.**

Subdivision 1. **K-12 license to teach deaf and hard-of-hearing students; relicensure.** (a) The Professional Educator Licensing and Standards Board of Teaching must review and determine appropriate licensure requirements for a candidate for a license or an applicant for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through grade 12. In addition to other requirements, a candidate must demonstrate the minimum level of proficiency in American sign language as determined by the board.

(b) Among other relicensure requirements, each teacher under this section must complete 30 continuing education clock hours on hearing loss topics, including American Sign Language, American Sign Language linguistics, or deaf culture, in each licensure renewal period.

Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The Professional Educator Licensing and Standards Board of Teaching shall adopt a separate licensure rule for a candidate for a license or an applicant for a continuing license to teach in oral/aural deaf education programs or to provide services, including itinerant oral/aural deaf education services, to deaf and hard-of-hearing students in prekindergarten through grade 12.

(b) The board shall design rule requirements for teaching oral/aural deaf education in collaboration with representatives of parents and educators of deaf and hard-of-hearing students, postsecondary programs preparing teachers of deaf and hard-of-hearing students, and the Department of Education.

(c) Rule requirements for teaching oral/aural deaf education shall reflect best practice research in oral/aural deaf education. Advanced competencies in teaching deaf and hard-of-hearing students through oral/aural modes shall be included.

(d) Licensure requirements for teachers of oral/aural deaf education must include minimum competency in American sign language, but are not subject to the guidelines established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998, chapter 398, article 2, section 47. The signed communication proficiency interview shall not be required for teachers licensed to teach deaf and hard-of-hearing students through oral/aural deaf education methods.

(e) Requirements for teachers of oral/aural deaf education shall include appropriate continuing education requirements for renewing this licensure.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 22. Minnesota Statutes 2016, section 122A.29, is amended to read:

**122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS; LICENSURE REQUIREMENTS.**

Teachers licensed in the education of blind and visually impaired students must demonstrate competence in reading and writing Braille. The Professional Educator Licensing and Standards Board of Teaching, at such time as a valid and reliable test is available, shall adopt a rule to assess these competencies that is consistent with the standards of the National Library Services for the Blind and Physically Handicapped.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 23. Minnesota Statutes 2016, section 122A.30, is amended to read:

**122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION INSTRUCTORS.**

(a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local employer school board, a person who teaches in a part-time vocational or career and technical education program is exempt from a license requirement. Nothing in this section shall exclude licensed career and technical educators from the definition of "teacher" in section 122A.40, 122A.41, or 179A.03.

(b) This section expires June 30, 2020. After this section expires, persons who teach in a part-time vocational or career and technical education program may apply for a teaching license provided in sections 122A.18 to 122A.184.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 24. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its early childhood family education programs. ~~The Board of Teaching, at its discretion, may grant an applicant a variance under this subdivision, consistent with sections 122A.09, subdivision 10, and 122A.25, and Board of Teaching rules.~~

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 25. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services rendered or for costs incurred in career and technical education programs approved by the commissioner and operated in accordance with rules promulgated by the commissioner. This aid shall be paid only for services rendered and for costs incurred by essential, licensed personnel who meet the requirements for licensure pursuant to the rules of the ~~Minnesota Professional Educator Licensing and Standards Board of Teaching~~. Licensed personnel means persons holding a valid career and technical license issued by the ~~commissioner~~ Professional Educator Licensing and Standards Board under section 122A.30. If an average of five or fewer secondary full-time equivalent students are enrolled per teacher in an approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed personnel means persons holding a valid vocational license issued by the commissioner or the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding section 127A.42, the commissioner may modify or withdraw the program or aid approval and withhold aid under this section without proceeding under section 127A.42 at any time. To do so, the commissioner must determine that the program does not comply with rules of the Department of Education or that any facts concerning the program or its budget differ from the facts in the district's approved application.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

Subdivision 1. **American Indian language and culture education licenses.** The ~~Professional Educator Licensing and Standards Board of Teaching~~, in consultation with the Tribal Nations Education Committee, must grant initial and continuing teaching licenses in American Indian language and culture education that bear the same duration as other initial and continuing licenses. The board must grant licenses to persons who present satisfactory evidence that they:

(1) possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture; or

(2) possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, tribal resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district, participating school, or an American Indian school.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 27. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under this section shall be eligible for employment by a school board or a participating school as a teacher in an American Indian education program in which the American Indian language or culture in which the person is licensed is taught. A school district or participating school may prescribe only those additional qualifications for teachers licensed under this section as are approved by the ~~Professional Educator Licensing and Standards Board of Teaching~~. Any school

board or participating school upon request may be exempted from the licensure requirements of this section in the hiring of one or more American Indian language and culture education teachers for any school year in which compliance would, in the opinion of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship in the securing of the teachers.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 28. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to the licensure standards of the Professional Educator Licensing and Standards Board of Teaching or the commissioner of education. An administrator at the academies is subject to the licensure standards of the Board of School Administrators.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 29. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

(b) "Qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational and living expenses related to a teacher's preparation or further education.

(c) "School district" means an independent school district, special school district, intermediate district, education district, special education cooperative, service cooperative, a cooperative center for vocational education, or a charter school located in Minnesota.

(d) "Teacher" means an individual holding a teaching license issued by the ~~licensing division in the Department of Education on behalf of the Board of Teaching~~ Professional Educator Licensing and Standards Board who is employed by a school district to provide classroom instruction in a teacher shortage area.

(e) "Teacher shortage area" means the licensure fields and economic development regions reported by the commissioner of education as experiencing a teacher shortage.

(f) "Commissioner" means the commissioner of the Office of Higher Education unless indicated otherwise.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 30. **TEACHER OF SPECIAL EDUCATION LICENSE REVIEW.**

The Professional Educator Licensing and Standards Board must conduct a review of all the available teacher of special education licenses and determine the options for cross-categorical licenses for teachers of special education. The board must report its findings and draft legislation, if needed, to the legislative committees having jurisdiction over kindergarten through grade 12 education by December 14, 2018.

Sec. 31. **RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST LICENSURE.**

No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules, part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses under that part may be issued and renewed according to rules of the Board of Teaching governing continuing licenses and without requiring the candidate to hold or be

recommended for licensure in any other licensure field. The board shall use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided in Minnesota Statutes, section 14.388.

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

Sec. 32. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

Subdivision 1. **One-year license.** A one-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 1 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 2 license established under Minnesota Statutes, sections 122A.18 and 122A.182.

Subd. 3. **Five-year license.** A five-year license must be treated in accordance with Minnesota Statutes, section 122A.184, subdivision 4.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 33. **PERMISSIONS, WAIVERS, EXCEPTIONS, AND VARIANCES.**

The Professional Educator Licensing and Standards Board may grant an extension of up to one year for a permission, waiver, variance, or temporary limited license in effect on January 1, 2018.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 34. **TEACHERS OF ENGLISH AS A SECOND LANGUAGE.**

(a) Notwithstanding the teacher's field of licensure, a teacher may provide content instruction in a district or charter school until the end of the 2018-2019 school year if the teacher:

(1) held a kindergarten through grade 12 English as a second language (ESL) license during the 2016-2017 school year;

(2) provided content instruction as a highly qualified teacher under the No Child Left Behind Act to English language learners, as defined under Minnesota Statutes, section 124D.59; and

(3) taught in a classroom where both state content standards and English language development standards were satisfied.

(b) For the 2019-2020 school year and later, a teacher with an ESL license must meet all applicable licensing requirements in chapter 122A and rules adopted by the Professional Educator Licensing and Standards Board.

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

Sec. 35. **REPEALER.**

Minnesota Statutes 2016, sections 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, and 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

ARTICLE 3  
NONTEACHER CREDENTIALING

Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board of Teaching must adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Any paraprofessional holding this credential or working in a local school district after meeting a state-approved local assessment is considered to be highly qualified under federal law. Under this subdivision, the Professional Educator Licensing and Standards Board of Teaching, in consultation with the commissioner, must adopt qualitative criteria for approving local assessments that include an evaluation of a paraprofessional's knowledge of reading, writing, and math and the paraprofessional's ability to assist in the instruction of reading, writing, and math. The commissioner must approve or disapprove local assessments using these criteria. The commissioner must make the criteria available to the public.

**EFFECTIVE DATE.** This section is effective January 1, 2018."

Delete the title and insert:

"A bill for an act relating to education; restructuring Minnesota's teacher licensing system; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding a subdivision; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivision 1; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1, 2; 122A.245; 122A.25."

We request the adoption of this report and repassage of the bill.

House Conferees: SONDRA ERICKSON and PEGGY BENNETT.

Senate Conferees: ERIC R. PRATT, KARIN HOUSLEY and SUSAN KENT.

Erickson moved that the report of the Conference Committee on H. F. No. 140 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Erickson motion and the roll was called. There were 76 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hamilton	Lohmer	O'Neill	Swedzinski
Anderson, P.	Drazkowski	Heintzeman	Loon	Peppin	Theis
Anderson, S.	Erickson	Hertaus	Loonan	Petersburg	Torkelson
Anselmo	Fabian	Hoppe	Lueck	Peterson	Uglen
Backer	Fenton	Howe	Mariani	Pierson	Urdahl
Bahr, C.	Franke	Jessup	Marquart	Poston	Vogel
Baker	Franson	Johnson, B.	McDonald	Pugh	West
Barr, R.	Garofalo	Jurgens	Miller	Quam	Whelan
Bennett	Green	Kiel	Nash	Rarick	Wills
Christensen	Grossell	Knoblach	Neu	Runbeck	Zerwas
Cornish	Gruenhagen	Koznick	Newberger	Schomacker	Spk. Daudt
Daniels	Gunther	Kresha	Nornes	Scott	
Dean, M.	Haley	Layman	O'Driscoll	Smith	

Those who voted in the negative were:

Allen	Davnie	Hortman	Loeffler	Omar	Sundin
Applebaum	Dehn, R.	Johnson, C.	Mahoney	Pelowski	Thissen
Becker-Finn	Ecklund	Johnson, S.	Masin	Pinto	Wagenius
Bernardy	Fischer	Koegel	Maye Quade	Poppe	Ward
Bly	Flanagan	Kunesh-Podein	Metsa	Pryor	Youakim
Carlson, A.	Freiberg	Lee	Moran	Rosenthal	
Carlson, L.	Hansen	Lesch	Murphy, E.	Sandstede	
Clark	Hausman	Liebling	Murphy, M.	Sauke	
Considine	Hilstrom	Lien	Nelson	Schultz	
Davids	Hornstein	Lillie	Olson	Slocum	

The motion prevailed.

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

H. F. No. 140, A bill for an act relating to education; restructuring Minnesota's teacher licensing system; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding a subdivision; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.245, subdivisions 1, 2, 3, 5, 6, 9, 10; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1, 2; 122A.245, subdivisions 7, 8; 122A.25.

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 76 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Heintzeman	Loon	Peppin	Swedzinski
Anderson, P.	Drazkowski	Hertaus	Loonan	Petersburg	Theis
Anderson, S.	Erickson	Hoppe	Lueck	Peterson	Torkelson
Anselmo	Fabian	Howe	Mariani	Pierson	Uglen
Backer	Fenton	Jessup	Marquart	Poppe	Urdahl
Bahr, C.	Franson	Johnson, B.	McDonald	Poston	Vogel
Baker	Garofalo	Jurgens	Miller	Pugh	West
Barr, R.	Green	Kiel	Nash	Quam	Whelan
Bennett	Grossell	Knoblach	Neu	Rarick	Wills
Christensen	Gruenhagen	Koznick	Newberger	Runbeck	Zerwas
Cornish	Gunther	Kresha	Nornes	Schomacker	Spk. Daudt
Daniels	Haley	Layman	O'Driscoll	Scott	
Dean, M.	Hamilton	Lohmer	O'Neill	Smith	

Those who voted in the negative were:

Allen	Davnie	Hilstrom	Liebling	Murphy, E.	Sandstede
Applebaum	Dehn, R.	Hornstein	Lien	Murphy, M.	Sauke
Becker-Finn	Ecklund	Hortman	Lillie	Nelson	Schultz
Bernardy	Fischer	Johnson, C.	Loeffler	Olson	Slocum
Bly	Flanagan	Johnson, S.	Mahoney	Omar	Sundin
Carlson, A.	Franke	Koegel	Masin	Pelowski	Thissen
Carlson, L.	Freiberg	Kunesh-Podein	Maye Quade	Pinto	Wagenius
Clark	Hansen	Lee	Metsa	Pryor	Ward
Considine	Hausman	Lesch	Moran	Rosenthal	Youakim

The bill was repassed, as amended by Conference, and its title agreed to.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1400, A bill for an act relating to health; modifying provisions governing reimbursable expenses for nursing assistant training and competency evaluations; amending Minnesota Statutes 2016, section 144A.611, subdivisions 1, 2, 4.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2287, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1545, A bill for an act relating to agriculture; extending Food Safety and Defense Task Force; modifying definition of animals; amending Minnesota Statutes 2016, sections 28A.21, subdivision 6; 31A.02, subdivision 4.

CAL R. LUDEMAN, Secretary of the Senate

Hamilton moved that the House refuse to concur in the Senate amendments to H. F. No. 1545, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 799, A bill for an act relating to state government; modifying provisions for certain interagency agreements and intra-agency transfers; amending Minnesota Statutes 2016, sections 62V.05, subdivision 12; 144.05, subdivision 6; 256.01, subdivision 41.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Benson, Abeler, Housley, Utke and Lourey.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

CAL R. LUDEMAN, Secretary of the Senate

Dean, M., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 799. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 844, A bill for an act relating to environment; providing for certain demolition debris landfill permitting.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Ingebrigtsen, Ruud, Westrom, Mathews and Tomassoni.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

CAL R. LUDEMAN, Secretary of the Senate

Heintzeman moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 844. The motion prevailed.

### **MOTIONS AND RESOLUTIONS**

Hoppe moved that the name of O'Neill be added as chief author on H. F. No. 739. The motion prevailed.

Sundin moved that the name of Whelan be added as an author on H. F. No. 1524. The motion prevailed.

Nash moved that S. F. No. 1694 be recalled from the Committee on State Government Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

### **ADJOURNMENT**

Garofalo moved that when the House adjourns today it adjourn until 10:00 a.m., Wednesday, May 17, 2017. The motion prevailed.

Garofalo moved that the House adjourn. The motion prevailed, and Speaker pro tempore Albright declared the House stands adjourned until 10:00 a.m., Wednesday, May 17, 2017.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

