

STATE OF MINNESOTA

NINETY-FIRST SESSION — 2019

 TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 28, 2019

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

Prayer was offered by Ray Pratt, Retired Baptist Minister, Wyoming, 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:

Acomb	Dehn	Hassan	Lippert	Nornes	Sundin
Albright	Demuth	Hausman	Lislegard	O'Driscoll	Swedzinski
Anderson	Dettmer	Heinrich	Loeffler	Olson	Tabke
Backer	Drazkowski	Heintzeman	Long	Pelowski	Theis
Bahner	Ecklund	Her	Lucero	Persell	Torkelson
Bahr	Edelson	Hertaus	Lueck	Petersburg	Urdahl
Baker	Elkins	Hornstein	Mahoney	Pierson	Vang
Becker-Finn	Erickson	Howard	Mann	Pinto	Vogel
Bennett	Fabian	Huot	Mariani	Poppe	Wagenius
Bernardy	Fischer	Johnson	Marquart	Poston	Wazlawik
Bierman	Franson	Jurgens	Masin	Pryor	Winkler
Boe	Freiberg	Kiel	Mekeland	Quam	Wolgamott
Brand	Garofalo	Klevorn	Miller	Richardson	Xiong, J.
Cantrell	Gomez	Koegel	Moller	Robbins	Xiong, T.
Carlson, A.	Green	Kotzya-Witthuhn	Moran	Runbeck	Youakim
Carlson, L.	Grossell	Kresha	Morrison	Sandell	Zerwas
Christensen	Gruenhagen	Kunesh-Podein	Munson	Sandstede	Spk. Hortman
Claflin	Gunther	Lee	Murphy	Sauke	
Considine	Haley	Lesch	Nelson, M.	Schomacker	
Daniels	Halverson	Liebling	Nelson, N.	Schultz	
Davids	Hamilton	Lien	Neu	Scott	
Davnie	Hansen	Lillie	Noor	Stephenson	

A quorum was present.

Daudt, Koznick, Layman, McDonald, Nash, O'Neill and West were excused.

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

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 559, A bill for an act relating to health occupations; requiring a provider-patient relationship in order to make ophthalmic prescriptions; amending Minnesota Statutes 2018, section 148.56, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 145.713, is amended by adding a subdivision to read:

Subd. 4. Provider-patient relationship required. (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "contact lens" means any lens that is placed directly on the surface of the eye, whether or not the lens is intended to correct a visual defect, including any cosmetic, therapeutic, or corrective lens;

(2) "ophthalmic prescription" means a handwritten or electronic order of a provider that includes:

(i) in the case of contact lenses, all information required by the Fairness to Contact Lens Consumers Act, United States Code, title 15, section 7601, et seq.;

(ii) in the case of prescription eyeglasses, all information required by the Ophthalmic Practice Rule, also known as the Eyeglass Rule, Code of Federal Regulations, title 16, part 456; and

(iii) necessary and appropriate information for the dispensing of prescription eyeglasses or contact lenses for a patient, including, at a minimum, the provider's name, the physical address of the provider's practice, and the provider's telephone number; and

(3) "provider" means an optometrist or physician.

(b) For the purposes of a provider prescribing ophthalmic goods to a patient, the provider must establish a provider-patient relationship through an examination pursuant to paragraph (c).

(c) An examination meets the requirements of paragraph (b) if it takes place:

(1) in person;

(2) through face-to-face interactive, two-way, real-time communication; or

(3) through store-and-forward technologies when all of the following conditions are met:

(i) the provider obtains an updated medical history and makes a diagnosis at the time of prescribing;

(ii) the provider conforms to the standard of care expected of in-person care as appropriate to the patient's age and presenting condition, including when the standard of care requires the use of diagnostic testing and performance of a physical examination, which may be carried out through the use of peripheral devices appropriate to the patient's condition;

(iii) the ophthalmic prescription is not determined solely by use of an online questionnaire;

(iv) the provider is licensed and authorized to issue an ophthalmic prescription in the state; and

(v) upon request, the provider provides patient records in a timely manner in accordance with state and federal requirements.

(d) This subdivision does not apply to the sale of over-the-counter eyeglasses, also known as readers, that are not designed to address the visual needs of the individual wearer.

EFFECTIVE DATE. This section is effective July 1, 2019, and applies to ophthalmic prescriptions written on or after that date."

Correct the title numbers accordingly

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 616, A bill for an act relating to human services; modifying provision governing mental health; appropriating money; amending Minnesota Statutes 2018, sections 245.4889, subdivision 1; 256B.0622, subdivision 2a; 256B.0915, subdivision 3b.

Reported the same back with the following amendments:

Page 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2018, section 256.478, is amended to read:

256.478 HOME AND COMMUNITY-BASED SERVICES TRANSITIONS GRANTS TRANSITION TO COMMUNITY INITIATIVE.

Subdivision 1. Eligibility. (a) An individual is eligible for the transition to community initiative if the individual meets the following criteria:

(1) without the additional resources available through the transitions to community initiative, the individual would otherwise remain at the Anoka-Metro Regional Treatment Center, a state-operated community behavioral health hospital, or the Minnesota Security Hospital;

(2) the individual's discharge would be significantly delayed without the additional resources available through the transitions to community initiative; and

(3) the individual met treatment objectives and no longer needs hospital-level care or a secure treatment setting.

(b) An individual who is in a community hospital and on the waiting list for the Anoka-Metro Regional Treatment Center, but for whom alternative community placement would be appropriate is eligible for the transition to community initiative upon the commissioner's approval.

Subd. 2. Transition grants. The commissioner shall make available ~~home and community based services transition to community grants to serve assist~~ individuals who ~~do not meet eligibility criteria for the medical assistance program under section 256B.056 or 256B.057, but who otherwise meet the criteria under section 256B.092, subdivision 13, or 256B.49, subdivision 24~~ met the criteria under subdivision 1.

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

Page 4, line 21, after "facility" insert "or another eligible facility"

Page 5, line 1, strike "256B.438" and insert "256R.17"

Page 6, after line 8, insert:

"Sec. 4. Minnesota Statutes 2018, section 256B.092, subdivision 13, is amended to read:

Subd. 13. Waiver allocations for transition populations. (a) The commissioner shall make available additional waiver allocations and additional necessary resources ~~to assure timely discharges from the Anoka Metro Regional Treatment Center and the Minnesota Security Hospital in St. Peter~~ for individuals who meet the ~~following~~ eligibility criteria: established under section 256.478, subdivision 1.

~~(1) are otherwise eligible for the developmental disabilities waiver under this section;~~

~~(2) who would otherwise remain at the Anoka Metro Regional Treatment Center or the Minnesota Security Hospital;~~

~~(3) whose discharge would be significantly delayed without the available waiver allocation; and~~

~~(4) who have met treatment objectives and no longer meet hospital level of care.~~

(b) Additional waiver allocations under this subdivision must meet cost-effectiveness requirements of the federal approved waiver plan.

(c) Any corporate foster care home developed under this subdivision must be considered an exception under section 245A.03, subdivision 7, paragraph (a).

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

Sec. 5. Minnesota Statutes 2018, section 256B.49, subdivision 24, is amended to read:

Subd. 24. Waiver allocations for transition populations. (a) The commissioner shall make available additional waiver allocations and additional necessary resources ~~to assure timely discharges from the Anoka Metro Regional Treatment Center and the Minnesota Security Hospital in St. Peter~~ for individuals who meet the ~~following~~ eligibility criteria: established under section 256.478, subdivision 1.

~~(1) are otherwise eligible for the brain injury, community access for disability inclusion, or community alternative care waivers under this section;~~

~~(2) who would otherwise remain at the Anoka Metro Regional Treatment Center or the Minnesota Security Hospital;~~

~~(3) whose discharge would be significantly delayed without the available waiver allocation; and~~

~~(4) who have met treatment objectives and no longer meet hospital level of care.~~

(b) Additional waiver allocations under this subdivision must meet cost-effectiveness requirements of the federal approved waiver plan.

(c) Any corporate foster care home developed under this subdivision must be considered an exception under section 245A.03, subdivision 7, paragraph (a).

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

Sec. 6. **RATE-SETTING PROPOSAL; MENTAL HEALTH SERVICES.**

The commissioner of human services shall develop a comprehensive rate-setting proposal, compliant with federal criteria, for mental health outpatient, physician, and professional services that do not have a cost-based, federally mandated, or contracted rate. The proposal must include recommendations for changes to: (1) the existing fee schedule that utilizes the Resource-Based Relative Value System (RBRVS); and (2) alternate payment methodologies for services that do not have relative values, in order to simplify the medical assistance fee-for-service rate structure and improve consistency and transparency in payment. The proposal must also include recommendations for adjusting payments to reflect variations in patient population, in order to reduce incentives for health providers to avoid high-risk patients or populations, including those with risk factors related to race, ethnicity, language, country of origin, and sociodemographic factors. In developing the proposal, the commissioner shall consult with key stakeholders, including but not limited to community-based mental health, substance use disorder, and home health care providers. The commissioner shall present the proposal to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance by February 15, 2020.

Sec. 7. **DIRECTION TO THE COMMISSIONER; FLEXIBLE ASSERTIVE COMMUNITY MODEL AND INTENSIVE NONRESIDENTIAL REHABILITATIVE MENTAL HEALTH SERVICE STANDARDS.**

The commissioner of human services, in consultation with stakeholders, shall develop recommendations for service standards and a payment methodology to implement the flexible assertive community treatment model in Minnesota. The commissioner shall also make recommendations for changes to the service standards and eligibility restriction on age for intensive nonresidential rehabilitative mental health services under Minnesota Statutes, section 256B.0957, to improve the consistency of the service and ensure the service effectively meets the needs of youth and adults in Minnesota. The commissioner shall report a summary of recommendations, including any necessary statutory changes, to the chairs and ranking minority members of the legislative committees with jurisdiction over mental health services by February 1, 2020."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "provision" and insert "provisions" and after the second semicolon, insert "requiring reports;"

Correct the title numbers accordingly

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 783, A bill for an act relating to health; modifying requirements for supervisors of temporary body art technicians; amending Minnesota Statutes 2018, section 146B.03, by adding a subdivision; repealing Minnesota Statutes 2018, section 146B.02, subdivision 7a.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"(c) The supervisory plan must include, at a minimum:

(1) the areas of practice under supervision;

(2) the anticipated supervision hours per week;

(3) the anticipated duration of the training period; and

(4) the method of providing supervision if there are multiple technicians being supervised during the same time period.

(d) If the supervisory plan is terminated before completion of the technician's supervised practice, the supervisor must notify the commissioner in writing within 14 days of the change in supervision and include an explanation of why the plan was not completed."

Page 1, line 19, delete "(c)" and insert "(e)"

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

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 990, A bill for an act relating to financial institutions; adding an exemption to licensing requirements for residential mortgage originators; providing for conformity with federal truth in lending requirements; amending Minnesota Statutes 2018, section 58.04, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 58.04, subdivision 1, is amended to read:

Subdivision 1. **Residential mortgage originator licensing requirements.** (a) No person shall act as a residential mortgage originator, or make residential mortgage loans without first obtaining a license from the commissioner according to the licensing procedures provided in this chapter.

(b) A licensee must be either a partnership, limited liability partnership, association, limited liability company, corporation, or other form of business organization, and must have and maintain a surety bond in the amounts prescribed under section 58.08.

(c) The following persons are exempt from the residential mortgage originator licensing requirements:

(1) a person who is not in the business of making residential mortgage loans and who makes no more than three such loans, with its own funds, during any 12-month period;

(2) a financial institution as defined in section 58.02, subdivision 10;

(3) an agency of the federal government, or of a state or municipal government;

(4) an employee or employer pension plan making loans only to its participants;

(5) a person acting in a fiduciary capacity, such as a trustee or receiver, as a result of a specific order issued by a court of competent jurisdiction; ~~or~~

(6) a person exempted by order of the commissioner; or

(7) a manufactured home dealer, as defined in section 327B.01, subdivision 7 or 11b, or a manufactured home salesperson, as defined in section 327B.01, subdivision 19, that:

(i) performs only clerical or support duties in connection with assisting a consumer in filling out a residential mortgage loan application but does not in any way offer or negotiate loan terms, or hold themselves out as a housing counselor;

(ii) does not receive any direct or indirect compensation or gain from any individual or company for assisting consumers with a residential mortgage loan application, in excess of the customary salary or commission from the employer in connection with the sales transaction; and

(iii) discloses to the borrower in writing:

(A) any corporate affiliation with a lender; and

(B) if an affiliation with a corporate lender exists, that the lender cannot guarantee the lowest or best terms available and the consumer has the right to choose their lender."

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

The report was adopted.

Ecklund from the Veterans and Military Affairs Finance and Policy Division to which was referred:

H. F. No. 1063, A resolution memorializing the United States government to honor veterans by funding construction costs for proposed veterans homes in Bemidji, Montevideo, and Preston.

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1167, A bill for an act relating to health; requiring a study on breastfeeding disparities.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1262, A bill for an act relating to health occupations; modifying provisions related to marriage and family therapists; making technical and clarifying changes; amending Minnesota Statutes 2018, sections 148B.29, subdivision 1, by adding a subdivision; 148B.31; 148B.32; 148B.33, subdivision 2; 148B.35; 148B.37, subdivision 1, by adding a subdivision; 148B.38, subdivisions 1, 2; 148B.39; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Statutes 2018, sections 148B.01, subdivisions 1, 4, 7; 148B.03; 148B.04, subdivisions 2, 3, 4, 5, 6; 148B.05, subdivision 1; 148B.06, subdivision 1; 148B.07; 148B.08; 148B.09; 148B.10; 148B.11; 148B.12; 148B.13; 148B.14; 148B.15; 148B.17; 148B.175; 148B.1751; 148B.30, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 18, delete everything after "the" and insert "Board of Marriage and Family Therapy."

Page 1, delete line 19

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

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 1269, A bill for an act relating to health; clarifying payment and denial of payment for mental health services; modifying primary care residency expansion grants; establishing practicum incentive payments; establishing American Indian traditional healing grants; developing a mental health training program; appropriating money; amending Minnesota Statutes 2018, sections 62A.15, subdivision 4, by adding a subdivision; 62J.692, subdivisions 1, 3; 144.1506, subdivision 2; 245.464, by adding a subdivision; 245.4661, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1393, A bill for an act relating to health; modifying a hospital construction or modification moratorium exception for an existing hospital in Carver County; amending Minnesota Statutes 2018, section 144.551, subdivision 1.

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

The report was adopted.

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

H. F. No. 1700, A bill for an act relating to environment; modifying requirements for remote sugar beet storage; amending Minnesota Statutes 2018, section 115.03, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1867, A bill for an act relating to human services; establishing a state agency hearing for a county to dispute liability for a portion of the cost of care of clients in regional treatment centers or state nursing facilities due to delayed discharge; precluding recovery of disputed costs of care from clients; amending Minnesota Statutes 2018, sections 246.51, subdivision 3; 256.045, subdivision 3.

Reported the same back with the following amendments:

Page 3, line 19, after the semicolon, insert "or"

Page 3, line 20, delete "; or" and insert a period

Page 3, delete lines 21 to 24 and insert:

"The commissioner shall, upon enactment of this section, conduct ongoing meetings with representatives of counties to address the lack of available beds for individuals who meet the criteria for safety net services as defined in the December 30, 2015, report to the commissioner of human services, entitled "Transitioning MSOCS Residential to a Safety Net Service: Community Based Steering Committee Recommendations.""

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1983, A bill for an act relating to human services; modifying intervener services for persons who are deafblind; amending Minnesota Statutes 2018, sections 256C.23, by adding a subdivision; 256C.261.

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2027, A bill for an act relating to health; modifying requirements for the volunteer health care provider program; amending Minnesota Statutes 2018, section 214.40, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 14, delete the semicolon

Page 1, line 15, delete "(iii)"

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2150, A bill for an act relating to health; allowing telemedicine evaluations to be used to prescribe medications for erectile dysfunction; amending Minnesota Statutes 2018, section 151.37, subdivision 2.

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2182, A bill for an act relating to human services; establishing the Direct Care Service Corps; requiring a report; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with House Concurrent Resolution No. 1, H. F. No. 2182 was re-referred to the Committee on Rules and Legislative Administration.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2217, A bill for an act relating to human services; changing child protection grant allocation to counties; amending Minnesota Statutes 2018, section 256M.41, subdivision 3, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2231, A bill for an act relating to human services; modifying rates for substance use treatment; directing commissioner of human services to establish continuum of care-based rate methodology; requiring a report; amending Minnesota Statutes 2018, section 254B.12, subdivisions 2, 3.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 3, line 2, after the comma, insert "one provider operating an opioid treatment program,"

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

Sundin from the Committee on Labor to which was referred:

H. F. No. 2281, A bill for an act relating to labor and industry; requiring continuing education regarding financial management; amending Minnesota Statutes 2018, section 326B.821, subdivision 21.

Reported the same back with the following amendments:

Page 1, line 10, delete "financial" and insert "business"

Amend the title as follows:

Page 1, line 2, delete "financial" and insert "business"

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

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

H. F. No. 2538, A bill for an act relating to commerce; appropriating money for unclaimed property compliance.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
UNCLAIMED PROPERTY; GENERAL

Section 1. **[345A.101] DEFINITIONS.**

(1) For the purposes of this chapter, the terms defined in this section have the meanings given them.

(2) "Administrator" means the commissioner of commerce.

(3) "Administrator's agent" means a person with which the administrator contracts to conduct an examination under this chapter on behalf of the administrator. The term includes an independent contractor of the person and each individual participating in the examination on behalf of the person or contractor.

(4) "Affiliated group of merchants" means two or more affiliated merchants or other persons that are related by common ownership or common corporate control and that share the same name, mark, or logo. Affiliated group of merchants also applies to two or more merchants or other persons that agree among themselves, by contract or otherwise, to redeem cards, codes, or other devices bearing the same name, mark, or logo, other than the mark, logo, or brand of a payment network, for the purchase of goods or services solely at such merchants or persons. However, merchants or other persons are not considered affiliated merely because they agree to accept a card that bears the mark, logo, or brand of a payment network.

(5) "Apparent owner" means a person whose name appears on the records of a holder as the owner of property held, issued, or owing by the holder.

(6) "Business association" means a corporation, joint stock company, investment company, other than an investment company registered under the Investment Company Act of 1940, as amended, United States Code, title 15, sections 80a-1 to 80a-64, partnership, unincorporated association, joint venture, limited liability company, business trust, trust company, land bank, safe deposit company, safekeeping depository, financial organization, insurance company, federally chartered entity, utility, sole proprietorship, or other business entity, whether or not for profit.

(7) "District court" means Ramsey County District Court.

(8) "Domicile" means:

(A) for a corporation, the state of its incorporation;

(B) for a business association whose formation requires a filing with a state, other than a corporation, the state of its filing;

(C) for a federally chartered entity or an investment company registered under the Investment Company Act of 1940, as amended, United States Code, title 15, sections 80a-1 to 80a-64, the state of its home office; and

(D) for any other holder, the state of its principal place of business.

(9) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(10) "E-mail" means a communication by electronic means which is automatically retained and stored and may be readily accessed or retrieved.

(11) "Financial organization" means a savings and loan association, building and loan association, savings bank, industrial bank, bank, banking organization, or credit union.

(12) "Game-related digital content" means digital content that exists only in an electronic game or electronic-game platform. The term:

(A) includes:

i. game-play currency such as a virtual wallet, even if denominated in United States currency; and

ii. the following if for use or redemption only within the game or platform or another electronic game or electronic-game platform:

1. points sometimes referred to as gems, tokens, gold, and similar names; and

2. digital codes; and

(B) does not include an item that the issuer:

i. permits to be redeemed for use outside a game or platform for:

ii. money; or

iii. goods or services that have more than minimal value; or

iv. otherwise monetizes for use outside a game or platform.

(13) "Gift card" means:

(A) a stored-value card:

i. issued on a prepaid basis for a specified amount;

ii. the value of which does not expire;

iii. that is not subject to a dormancy, inactivity, or service fee;

iv. that may be decreased in value only by redemption for merchandise, goods, or services upon presentation at a single merchant or an affiliated group of merchants;

v. that, unless required by law, may not be redeemed for or converted into money or otherwise monetized by the issuer; and

(B) includes a prepaid commercial mobile radio service, as defined in Code of Federal Regulations, title 47, section 20.3, as amended.

(14) "Holder" means a person obligated to hold for the account of, or to deliver or pay to, the owner, property subject to this chapter.

(15) "Insurance company" means an association, corporation, or fraternal or mutual-benefit organization, whether or not for profit, engaged in the business of providing life endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice, marine, mortgage, surety, wage-protection, and worker-compensation insurance.

(16) "Loyalty card" means a record given without direct monetary consideration under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may be used or redeemed only to obtain goods or services or a discount on goods or services. Loyalty card does not include a record that may be redeemed for money or otherwise monetized by the issuer.

(17) "Mineral" means gas, oil, coal, oil shale, other gaseous liquid or solid hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other geothermal resources, and any other substance defined as a mineral by law of this state other than this chapter.

(18) "Mineral proceeds" means an amount payable for extraction, production, or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after abandonment. Mineral proceeds includes an amount payable:

(A) for the acquisition and retention of a mineral lease, including a bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

(B) for the extraction, production, or sale of minerals, including a net revenue interest, royalty, overriding royalty, extraction payment, and production payment; and

(C) under an agreement or option, including a joint-operating agreement, unit agreement, pooling agreement, and farm-out agreement.

(19) "Money order" means a payment order for a specified amount of money. Money order includes an express money order and a personal money order on which the remitter is the purchaser.

(20) "Municipal bond" means a bond or evidence of indebtedness issued by a municipality or other political subdivision of a state.

(21) "Net card value" means the original purchase price or original issued value of a stored-value card, plus amounts added to the original price or value, minus amounts used and any service charge, fee, or dormancy charge permitted by law.

(22) "Nonfreely transferable security" means a security that cannot be delivered to the administrator by the Depository Trust Clearing Corporation or similar custodian of securities providing post-trade clearing and settlement services to financial markets or cannot be delivered because there is no agent to effect transfer. Nonfreely transferable security includes a worthless security.

(23) "Owner" means a person that has a legal, beneficial, or equitable interest in property subject to this chapter or the person's legal representative when acting on behalf of the owner. Owner includes:

(A) a depositor, for a deposit;

(B) a beneficiary, for a trust other than a deposit in trust;

(C) a creditor, claimant, or payee, for other property; and

(D) the lawful bearer of a record that may be used to obtain money, a reward, or a thing of value.

(24) "Payroll card" means a record that evidences a payroll card account as defined in Regulation E, Code of Federal Regulations, title 12, part 1005, as amended.

(25) "Person" means an individual, estate, business association, public corporation, government or governmental subdivision, agency, instrumentality, or other legal entity whether or not for profit.

(26) "Property" means tangible property described in section 345A.205 or a fixed and certain interest in intangible property held, issued, or owed in the course of a holder's business or by a government, governmental subdivision, agency, or instrumentality. Property:

(A) includes all income from or increments to the property:

(B) includes property referred to as or evidenced by:

i. money, virtual currency, interest, dividend, check, draft, deposit, or payroll card;

ii. a credit balance, customer's overpayment, stored-value card, security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

iii. a security except for:

1. a worthless security; or

2. a security that is subject to a lien, legal hold, or restriction evidenced on the records of the holder or imposed by operation of law, if the lien, legal hold, or restriction restricts the holder's or owner's ability to receive, transfer, sell, or otherwise negotiate the security;

iv. a bond, debenture, note, or other evidence of indebtedness;

v. money deposited to redeem a security, make a distribution, or pay a dividend;

vi. an amount due and payable under an annuity contract or insurance policy; and

vii. an amount distributable from a trust or custodial fund established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit-sharing, employee savings, supplemental unemployment insurance, or a similar benefit; and

(C) does not include:

i. property held in a plan described in section 529A of the Internal Revenue Code, as amended, United States Code, title 26, section 529A;

ii. game-related digital content;

iii. a loyalty card;

iv. a gift card; or

v. money held or owing by a public pension fund enumerated in section 356.20, subdivision 2, or 356.30, subdivision 3; or covered by sections 69.77 or 69.771 to 69.776, if the plan governing the public pension fund includes a provision governing the disposition of unclaimed amounts of money.

(27) "Putative holder" means a person believed by the administrator to be a holder, until the person pays or delivers to the administrator property subject to this chapter or the administrator or a court makes a final determination that the person is or is not a holder.

(28) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form. "Records of the holder" includes records maintained by a third party that has contracted with the holder.

(29) "Security" means:

(A) a security as defined in article 8 of the Uniform Commercial Code, section 336.8-102;

(B) a security entitlement as defined in article 8 of the Uniform Commercial Code, section 336.8-102, including a customer security account held by a registered broker-dealer, to the extent the financial assets held in the security account are not:

i. registered on the books of the issuer in the name of the person for which the broker-dealer holds the assets;

ii. payable to the order of the person; or

iii. specifically endorsed to the person; or

(C) an equity interest in a business association not included in subparagraph (A) or (B).

(30) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(31) "Stored-value card" means a record evidencing a promise made for consideration by the seller or issuer of the record that goods, services, or money will be provided to the owner of the record to the value or amount shown in the record. Stored-value card:

(A) includes:

i. a record that contains or consists of a microprocessor chip, magnetic strip, or other means for the storage of information, which is prefunded and whose value or amount is decreased on each use and increased by payment of additional consideration; and

ii. a payroll card; and

(B) does not include a loyalty card, gift card, or game-related digital content.

(32) "Utility" means a person that owns or operates for public use a plant, equipment, real property, franchise, or license for the following public services:

(A) transmission of communications or information;

(B) production, storage, transmission, sale, delivery, or furnishing of electricity, water, steam, or gas; or

(C) provision of sewage or septic services, or trash, garbage, or recycling disposal.

(33) "Virtual currency" means a digital representation of value used as a medium of exchange, unit of account, or store of value, which does not have legal tender status recognized by the United States. Virtual currency does not include:

(A) the software or protocols governing the transfer of the digital representation of value;

(B) game-related digital content; or

(C) a loyalty card or gift card.

(34) "Worthless security" means a security whose cost of liquidation and delivery to the administrator would exceed the value of the security on the date a report is due under this chapter.

Sec. 2. **[345A.102] INAPPLICABILITY TO FOREIGN TRANSACTION.**

This chapter does not apply to property held, due, and owing in a foreign country if the transaction out of which the property arose was a foreign transaction.

ARTICLE 2
UNCLAIMED PROPERTY; PRESUMPTION OF ABANDONMENT

Section 1. **[345A.201] WHEN PROPERTY PRESUMED ABANDONED.**

Subject to section 345A.210, the following property is presumed abandoned if it is unclaimed by the apparent owner during the period specified below:

(1) a traveler's check, 15 years after issuance;

(2) a money order, seven years after issuance;

(3) cooperative property, including any profit distribution or other sum held or owing by a cooperative to a participating patron is presumed abandoned only if it has remained unclaimed by the owner for more than seven years after it became payable or distributable;

(4) a state or municipal bond, bearer bond, or original-issue discount bond, three years after the earliest of the date the bond matures or is called or the obligation to pay the principal of the bond arises;

(5) a debt of a business association, three years after the obligation to pay arises;

(6) demand, savings, or time deposit, including a deposit that is automatically renewable, three years after the later of the maturity or the date of the last indication of interest in the property by the apparent owner, except a deposit that is automatically renewable is deemed matured three years after its initial date of maturity unless the apparent owner consented to renewal in a record on file with the holder at or about the time of the renewal;

(7) money or a credit owed to a customer as a result of a retail business transaction, other than in-store credit for returned merchandise, three years after the obligation arose;

(8) an amount owed by an insurance company on a life or endowment insurance policy or an annuity contract that has matured or terminated, three years after the obligation to pay arose under the terms of the policy or contract or, if a policy or contract for which an amount is owed on proof of death has not matured by proof of the death of the insured or annuitant, as follows:

(A) with respect to an amount owed on a life or endowment insurance policy, the earlier of:

i. three years after the death of the insured; or

ii. two years after the insured has attained, or would have attained if living, the limiting age under the mortality table in which the reserve for the policy is based; and

(B) with respect to an amount owed on an annuity contract, three years after the date of the death of the annuitant;

(9) funds on deposit or held in trust for the prepayment of funeral or other funeral-related expenses, the earliest of:

(A) two years after the date of death of the beneficiary;

(B) one year after the date the beneficiary has attained, or would have attained if living, the age of 105 where the holder does not know whether the beneficiary is deceased; or

(C) 30 years after the contract for prepayment was executed;

(10) property distributable by a business association in the course of dissolution, one year after the property becomes distributable;

(11) property held by a court, including property received as proceeds of a class action, three years after the property becomes distributable;

(12) property held by a government or governmental subdivision, agency, or instrumentality, including municipal bond interest and unredeemed principal under the administration of a paying agent or indenture trustee, one year after the property becomes distributable;

(13) wages, commissions, bonuses, or reimbursements to which an employee is entitled, or other compensation for personal services, including amounts held on a payroll card, one year after the amount becomes payable;

(14) a deposit or refund owed to a subscriber by a utility, one year after the deposit or refund becomes payable; and

(15) property not specified in this section or sections 345A.202 to 345A.208, the earlier of three years after the owner first has a right to demand the property or the obligation to pay or distribute the property arises.

Notwithstanding any provision in this section to the contrary, and subject to section 345A.210, a deceased owner cannot indicate interest in the owner's property. If the owner is deceased and the abandonment period for the owner's property specified in this section is greater than two years, then the property, excluding any amounts owed by an insurance company on a life or endowment insurance policy or an annuity contract that has matured or terminated, shall instead be presumed abandoned two years from the date of the owner's last indication of interest in the property.

Sec. 2. **[345A.202] WHEN TAX-DEFERRED RETIREMENT ACCOUNT PRESUMED ABANDONED.**

(a) Subject to section 345A.210, property held in a pension account or retirement account that qualifies for tax deferral under the income tax laws of the United States is presumed abandoned if it is unclaimed by the apparent owner after the later of:

(1) three years after the following dates:

(A) except as in subparagraph (B), the date a communication sent by the holder by first-class United States mail to the apparent owner is returned to the holder undelivered by the United States Postal Service; or

(B) if such communication is re-sent within 30 days after the date the first communication is returned undelivered, the date the second communication was returned undelivered by the United States Postal Service; or

(2) the earlier of the following dates:

(A) three years after the date the apparent owner becomes 70.5 years of age, if determinable by the holder; or

(B) one year after the date of mandatory distribution following death if the Internal Revenue Code, as amended, United States Code, title 26, section 1, et seq., requires distribution to avoid a tax penalty and the holder:

(i) receives confirmation of the death of the apparent owner in the ordinary course of its business; or

(ii) confirms the death of the apparent owner under subsection (b).

(b) If a holder in the ordinary course of its business receives notice or an indication of the death of an apparent owner and subsection (a)(2) applies, the holder shall attempt, not later than 90 days after receipt of the notice or indication, to confirm whether the apparent owner is deceased.

(c) If the holder does not send communications to the apparent owner of an account described in subsection (a) by first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in the property by sending the apparent owner an e-mail communication not later than two years after the apparent owner's last indication of interest in the property; however, the holder promptly shall attempt to contact the apparent owner by first-class United States mail if:

(1) the holder does not have information needed to send the apparent owner an e-mail communication or the holder believes that the apparent owner's e-mail address in the holder's records is not valid;

(2) the holder receives notification that the e-mail communication was not received; or

(3) the apparent owner does not respond to the e-mail communication not later than 30 days after the communication was sent.

(d) If first-class United States mail sent under subsection (c) is returned to the holder undelivered by the United States Postal Service, the property is presumed abandoned three years after the later of:

(1) except as in paragraph (2), the date a communication to contact the apparent owner sent by first-class United States mail is returned to the holder undelivered;

(2) if such communication is sent later than 30 days after the date the first communication is returned undelivered, the date the second communication was returned undelivered; or

(3) the date established by subsection (a)(2).

Sec. 3. **[345A.203] WHEN OTHER TAX-DEFERRED ACCOUNT PRESUMED ABANDONED.**

(a) Subject to section 345A.210 and except for property described in section 345A.202 and property held in a plan described in section 529A of the Internal Revenue Code, as amended; United States Code, title 26, section 529A, property held in an account or plan, including a health savings account, that qualifies for tax deferral under the income tax laws of the United States is presumed abandoned if it is unclaimed by the apparent owner three years after the earlier of:

(1) the date, if determinable by the holder, specified in the income tax laws and regulations of the United States by which distribution of the property must begin to avoid a tax penalty, with no distribution having been made; or

(2) 30 years after the date the account was opened.

(b) If the owner is deceased, property subject to this section is presumed abandoned two years from the earliest of:

(1) the date of the distribution or attempted distribution of the property;

(2) the date the required distribution as stated in the plan or trust agreement governing the plan; or

(3) the date, if determinable by the holder, specified in the income tax laws of the United States by which distribution of the property must begin in order to avoid a tax penalty.

Sec. 4. **[345A.204] WHEN CUSTODIAL ACCOUNT FOR MINOR PRESUMED ABANDONED.**

(a) Subject to section 345A.210, property held in an account established under a state's Uniform Gifts to Minors Act or Uniform Transfers to Minors Act is presumed abandoned if it is unclaimed by or on behalf of the minor on whose behalf the account was opened three years after the later of:

(1) except as in paragraph (2), the date a communication sent by the holder by first-class United States mail to the custodian of the minor on whose behalf the account was opened is returned undelivered to the holder by the United States Postal Service;

(2) if the communication is re-sent later than 30 days after the date the first communication is returned undelivered, the date the second communication was returned undelivered; or

(3) the date on which the custodian is required to transfer the property to the minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform Transfers to Minors Act of the state in which the account was opened.

(b) If the holder does not send communications to the custodian of the minor on whose behalf an account described in subsection (a) was opened by first-class United States mail, the holder shall attempt to confirm the custodian's interest in the property by sending the custodian an e-mail communication not later than two years after the custodian's last indication of interest in the property; however, the holder promptly shall attempt to contact the custodian by first-class United States mail if:

(1) the holder does not have information needed to send the custodian an e-mail communication or the holder believes that the custodian's e-mail address in the holder's records is not valid;

(2) the holder receives notification that the e-mail communication was not received; or

(3) the custodian does not respond to the e-mail communication not later than 30 days after the communication was sent.

(c) If first-class United States mail sent under subsection (b) is returned undelivered to the holder by the United States Postal Service, the property is presumed abandoned three years after the later of:

(1) the date a communication to contact the custodian by first-class United States mail is returned to the holder undelivered by the United States Postal Service; or

(2) the date established by subsection (a)(3).

(d) When the property in the account described in subsection (a) is transferred to the minor on whose behalf an account was opened or to the minor's estate, the property in the account is no longer subject to this section.

Sec. 5. **[345A.205] WHEN CONTENTS OF SAFE DEPOSIT BOX PRESUMED ABANDONED.**

Tangible property held in a safe deposit box and proceeds from a sale of the property by the holder permitted by law of this state other than this chapter are presumed abandoned if the property remains unclaimed by the apparent owner five years after the earlier of the:

(1) expiration of the lease or rental period for the safe deposit box; or

(2) earliest date when the lessor of the safe deposit box is authorized by law of this state other than this chapter to enter the safe deposit box and remove or dispose of the contents without consent or authorization of the lessee.

Sec. 6. **[345A.206] WHEN STORED-VALUE CARD PRESUMED ABANDONED.**

(a) Subject to section 345A.210, the net card value of a stored-value card, other than a payroll card or a gift card, is presumed abandoned on the latest of three years after:

(1) December 31 of the year in which the card is issued or additional funds are deposited into it;

(2) the most recent indication of interest in the card by the apparent owner; or

(3) a verification or review of the balance by or on behalf of the apparent owner.

(b) The amount presumed abandoned in a stored-value card is the net card value at the time it is presumed abandoned.

(c) If a holder has reported and remitted to the administrator the net card value on a stored-value card presumed abandoned under this section and the stored-value card does not have an expiration date, then the holder must honor the card on presentation indefinitely and may then request reimbursement from the administrator under section 345A.605.

Sec. 7. **[345A.208] WHEN SECURITY PRESUMED ABANDONED.**

(a) Subject to section 345A.210, a security is presumed abandoned after the earlier of the following:

(1) three years after the date a communication sent by the holder by first-class United States mail to the apparent owner is returned to the holder undelivered by the United States Postal Service or if such communication is re-sent no later than 30 days after the first communication is returned, the date the second communication is returned undelivered to the holder by the United States Postal Service; or

(2) five years after the date of the apparent owner's last indication of interest in the security.

(b) If the holder does not send communications to the apparent owner of a security by first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in the security by sending the apparent owner an e-mail communication not later than two years after the apparent owner's last indication of interest in the security; however, the holder promptly shall attempt to contact the apparent owner by first-class United States mail if:

(1) the holder does not have information needed to send the apparent owner an e-mail communication or the holder believes that the apparent owner's e-mail address in the holder's records is not valid;

(2) the holder receives notification that the e-mail communication was not received; or

(3) the apparent owner does not respond to the e-mail communication not later than 30 days after the communication was sent.

(c) If first-class United States mail sent under subsection (b) is returned to the holder undelivered by the United States Postal Service, the security is presumed abandoned in accordance with subsection (a)(2).

(d) If a holder, in the ordinary course of business, receives notice or an indication of the death of an apparent owner, the holder shall attempt, not later than 90 days after receipt of the notice or indication, to confirm whether the apparent owner is deceased. Notwithstanding the standards set forth in subsections (a), (b), and (c), if the holder either receives confirmation of the death of the apparent owner in the ordinary course of business or confirms the death of the apparent owner under this subsection, then the property shall be presumed abandoned two years after the date of the owner's death.

Sec. 8. **[345A.209] WHEN RELATED PROPERTY PRESUMED ABANDONED.**

At and after the time property is presumed abandoned under this chapter, any other property right or interest accrued or accruing from the property and not previously presumed abandoned is also presumed abandoned.

Sec. 9. **[345A.210] INDICATION OF APPARENT OWNER INTEREST IN PROPERTY.**

(a) The period after which property is presumed abandoned is measured from the later:

(1) the date the property is presumed abandoned under sections 345A.201 to 345A.211; or

(2) the latest indication of interest by the apparent owner in the property.

(b) Under this chapter, an indication of an apparent owner's interest in property includes:

(1) a record communicated by the apparent owner to the holder or agent of the holder concerning the property or the account in which the property is held;

(2) an oral communication by the apparent owner to the holder or agent of the holder concerning the property or the account in which the property is held, if the holder or its agent contemporaneously makes and preserves a record of the fact of the apparent owner's communication;

(3) presentment of a check or other instrument of payment of a dividend, interest payment, or other distribution, or evidence of receipt of a distribution made by electronic or similar means, with respect to an account, underlying security, or interest in a business association.

(4) activity directed by an apparent owner in the account in which the property is held, including accessing the account or information concerning the account, or a direction by the apparent owner to increase, decrease, or otherwise change the amount or type of property held in the account;

(5) a deposit into or withdrawal from an account at a financial organization, except for an automatic debit or credit previously authorized by the apparent owner or an automatic reinvestment of dividends or interest; and

(6) subject to subsection (e), payment of a premium on an insurance policy.

(c) An action by an agent or other representative of an apparent owner, other than the holder acting as the apparent owner's agent, is presumed to be an action on behalf of the apparent owner.

(d) A communication with an apparent owner by a person other than the holder or the holder's representative is not an indication of interest in the property by the apparent owner unless a record of the communication evidences the apparent owner's knowledge of a right to the property.

(e) If the insured dies or the insured or beneficiary of an insurance policy otherwise becomes entitled to the proceeds before depletion of the cash surrender value of the policy by operation of an automatic premium loan provision or other nonforfeiture provision contained in the policy, the operation does not prevent the policy from maturing or terminating.

(f) If the apparent owner has other property with the holder to which section 345A.201, paragraph (6), applies, the activity directed by the apparent owner toward any other accounts, including but not limited to loan accounts, at the financial organization holding an inactive account of the apparent owner shall be an indication of interest in all such accounts if:

(1) the apparent owner engages in one or more of the following activities:

(A) the apparent owner undertakes one or more of the actions described in subsection (b) regarding an account that appears on a consolidated statement with the inactive account;

(B) the apparent owner increases or decreases the amount of funds in any other account the apparent owner has with the financial organization; or

(C) the apparent owner engages in any other relationship with the financial organization, including payment of any amounts due on a loan; and

(2) the mailing address for the apparent owner in the financial organization's records is the same for both the inactive account and the active account.

Sec. 10. **[345A.211] KNOWLEDGE OF DEATH OF INSURED OR ANNUITANT.**

(a) In this section, "death master file" ("DMF") means the United States Social Security Administration Death Master File or other database or service that is at least as comprehensive as the United States Social Security Administration Death Master File for determining that an individual reportedly has died.

(b) With respect to a life or endowment insurance policy or annuity contract for which an amount is owed on proof of death, but which has not matured by proof of death of the insured or annuitant, the company has knowledge of the death of an insured or annuitant when:

(1) the company receives a death certificate or court order determining that the insured or annuitant has died;

(2) the company receives notice of the death of the insured or annuitant from the administrator or an unclaimed property administrator of another state, a beneficiary, a policy owner, a relative of the insured, a representative under the Probate Act of 1975, or an executor or other legal representative of the insured's or annuitant's estate and validates the death of the insured or annuitant;

(3) the company conducts a comparison for any purpose between a DMF and the names of some or all of the company's insureds or annuitants, finds a match that provides notice that the insured or annuitant has died, and validates the death; or

(4) the administrator or the administrator's agent conducts a comparison for the purpose of finding matches during an examination conducted under this chapter between a DMF and the names of some or all of the company's insureds or annuitants, and finds a match that provides notice that the insured or annuitant has died.

(c) A holder shall perform a comparison of its insureds' in-force policies, annuity contracts, and retained asset accounts against a DMF on at least a semiannual basis by using the full DMF once and thereafter using DMF updated files for future comparisons to identify potential matches of its insureds.

(d) A death master file match under subsection (b)(3) or (4) occurs if the criteria for an exact or partial match are satisfied.

(1) an exact match occurs when the Social Security number, first and last name, and date of birth contained in the holder's records matches exactly to the data contained in the DMF;

(2) a partial match occurs in any of the following circumstances:

(A) when the Social Security number contained in the data found in the holder's records matches exactly or in accordance with the fuzzy match criteria listed below to the Social Security number contained in the DMF, the first and last names match either exactly or in accordance with the fuzzy match criteria listed below, and the date of birth matches exactly or in accordance with the fuzzy match criteria listed below;

(B) when the holder's records do not include a Social Security number or where the Social Security number is incomplete or otherwise invalid, and there is a first name, last name, and date of birth combination in the holder's data that is a match against the data contained in the DMF where the first and last names match either exactly or in accordance with the fuzzy match criteria listed below and the date of birth matches exactly or in accordance with the fuzzy match criteria listed below;

(C) if there is more than one potentially matched individual returned as a result of the process described in paragraphs (A) and (B) above, the holder shall search the Social Security numbers obtained from the DMF for the potential matched individuals against Accurant for Insurance or an equivalent database. If a search of those databases shows that the DMF Social Security number is listed at the address in the holder's records for the insured, a partial match will be considered to have been made only for individuals with a matching address;

(D) fuzzy match criteria includes the following:

(i) a first name fuzzy match includes one or more of the following: a nickname; an initial instead of a full first name; accepted industry standard phonetic name-matching algorithm; data entry mistakes with a maximum difference of one character with at least five characters in length; a first and last name are provided and cannot be reliably distinguished from one another; use of interchanged first name and middle name; a misused compound name; and the use of a "Mrs." in conjunction with a spouse's name where the date of birth and Social Security number match exactly and the last name matches exactly or in accordance with the fuzzy match criteria listed herein;

(ii) a last name fuzzy match includes one or more of the following: Anglicized forms of last names; compound last name; blank spaces in last name; accepted industry standard phonetic name-matching algorithm; a first and last name are provided and cannot be reliably distinguished from one another; use of apostrophe or other punctuation; data entry mistakes with a maximum difference of one character for last name with at least eight characters in length; and married female last name variations;

(iii) a date of birth fuzzy match includes one of the following: two dates with a maximum of two digits in difference, but only one entry mistake per full date is allowable; transposition of the month and date portion of the date of birth; if the holder's records do not contain a complete date of birth, then a fuzzy match date of birth will be found to exist where the data available in the holder's records does not conflict with the data contained in the DMF; if the holder provided a first and last name match, either exactly or in accordance with the fuzzy match criteria herein and the Social Security number matches exactly against the DMF, the date of birth is a fuzzy match if the holder provided a date of birth that is within two years of the DMF-listed date of birth;

(iv) a Social Security number fuzzy match includes one of the following: two Social Security numbers with a maximum of two digits in difference, any number position; two consecutive numbers are transposed; and the Social Security number is less than nine digits in length, but at least seven digits, and is entirely embedded within the other Social Security number;

(3) the DMF match does not constitute proof of death for the purpose of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the policy or contract for an amount due under an insurance policy or annuity contract;

(4) the DMF match or validation of the insured's or annuitant's death does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to make a claim to receive proceeds under the terms of the policy or contract;

(5) an insured or an annuitant is presumed dead if the date of the person's death is indicated by the DMF match under either subsection (b)(3) or (4), unless the insurer has competent and substantial evidence that the person is living, including but not limited to a contact made by the insurer with the person or the person's legal representation.

(e) This chapter does not affect the determination of the extent to which an insurance company before the effective date of this chapter had knowledge of the death of an insured or annuitant or was required to conduct a DMF comparison to determine whether amounts owed by the company on a life or endowment insurance policy or annuity contract were presumed abandoned or unclaimed.

Sec. 11. [345A.211] DEPOSIT ACCOUNT FOR PROCEEDS OF INSURANCE POLICY OR ANNUITY CONTRACT.

If proceeds payable under a life or endowment insurance policy or annuity contract are deposited into an account with check or draft-writing privileges for the beneficiary of the policy or contract and, under a supplementary contract not involving annuity benefits other than death benefits, the proceeds are retained by the insurance company or the financial organization where the account is held, the policy or contract includes the assets in the account.

ARTICLE 3
UNCLAIMED PROPERTY; RULES FOR TAKING CUSTODY
OF PROPERTY PRESUMED ABANDONED

Section 1. [345A.301] ADDRESS OF APPARENT OWNER TO ESTABLISH PRIORITY.

In sections 345A.301 to 345A.307, the following rules apply:

(1) The last known address of an apparent owner is any description, code, or other indication of the location of the apparent owner which identifies the state, even if the description, code, or indication of location is not sufficient to direct the delivery of first-class United States mail to the apparent owner.

(2) If the United States postal zip code associated with the apparent owner is for a post office located in this state, this state is deemed to be the state of the last known address of the apparent owner unless other records associated with the apparent owner specifically identify the physical address of the apparent owner to be in another state.

(3) If the address under paragraph (2) is in another state, the other state is deemed to be the state of the last known address of the apparent owner.

(4) The address of the apparent owner of a life or endowment insurance policy or annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a person other than the insured or annuitant is entitled to the amount owed under the policy or contract and the address of the other person is not known by the insurance company and cannot be determined under section 345A.302.

Sec. 2. **[345A.302] ADDRESS OF APPARENT OWNER IN THIS STATE.**

The administrator may take custody of property that is presumed abandoned, whether located in this state, another state, or a foreign country, if:

(1) the last known address of the apparent owner in the records of the holder is in this state; or

(2) the records of the holder do not reflect the identity or last known address of the apparent owner, but the administrator has determined that the last known address of the apparent owner is in this state.

Sec. 3. **[345A.303] IF RECORDS SHOW MULTIPLE ADDRESSES OF APPARENT OWNER.**

(a) Except as provided in subsection (b), if records of a holder reflect multiple addresses for an apparent owner and this state is the state of the last known address, this state may take custody of property presumed abandoned, whether located in this state or another state.

(b) If it appears from records of the holder that the last known address of the apparent owner under subsection (a) is a temporary address and this state is the state of the next most recently recorded address that is not a temporary address, this state may take custody of the property presumed abandoned.

Sec. 4. **[345A.304] HOLDER DOMICILED IN THIS STATE.**

(a) Except as provided in subsection (b) or section 345A.302 or 345A.303, the administrator may take custody of property presumed abandoned, whether located in this state, another state, or a foreign country, if the holder is domiciled in this state, another state, or a governmental subdivision, agency, or instrumentality of this state and:

(1) another state or foreign country is not entitled to the property because there is no last known address of the apparent owner or other person entitled to the property in the records of the holder; or

(2) the state or foreign country of the last known address of the apparent owner or other person entitled to the property does not provide for custodial taking of the property.

(b) Property is not subject to custody of the administrator under subsection (a) if the property is specifically exempt from custodial taking under the law of this state, another state, or foreign country of the last known address of the apparent owner.

(c) If a holder's state of domicile has changed since the time the property was presumed abandoned, the holder's state of domicile in this section is deemed to be the state where the holder was domiciled at the time the property was presumed abandoned.

Sec. 5. **[345A.305] CUSTODY IF TRANSACTION TOOK PLACE IN THIS STATE.**

Except as provided in sections 345A.302 to 345A.304, the administrator may take custody of property presumed abandoned whether located in this state or another state if:

(1) the transaction out of which the property arose took place in this state;

(2) the holder is domiciled in a state that does not provide for the custodial taking of the property, except that if the property is specifically exempt from custodial taking under the law of the state of the holder's domicile, the property is not subject to the custody of the administrator; and

(3) the last known address of the apparent owner or other person entitled to the property is unknown or in a state that does not provide for the custodial taking of the property, except that if the property is specifically exempt from custodial taking under the law of the state of the last known address, the property is not subject to the custody of the administrator.

Sec. 6. **[345A.306] TRAVELER'S CHECK, MONEY ORDER, OR SIMILAR INSTRUMENT.**

The administrator may take custody of sums payable on a traveler's check, money order, or similar instrument presumed abandoned to the extent permissible under United States Code, title 12, sections 2501 through 2503, as amended.

Sec. 7. **[345A.307] BURDEN OF PROOF TO ESTABLISH ADMINISTRATOR'S RIGHT TO CUSTODY.**

Subject to this chapter, if the administrator asserts a right to custody of unclaimed property and there is a dispute concerning such property, the administrator has the initial burden to prove:

(1) the amount of the property;

(2) the property is presumed abandoned; and

(3) the property is subject to the custody of the administrator.

ARTICLE 4
UNCLAIMED PROPERTY; REPORT BY HOLDER

Section 1. **[345A.401] REPORT REQUIRED BY HOLDER.**

(a) A holder of property presumed abandoned and subject to the custody of the administrator shall report in a record to the administrator concerning the property. A holder shall submit an electronic report in a format prescribed by, and acceptable to, the administrator.

(b) A holder may contract with a third party to make the report required under subsection (a).

(c) Whether or not a holder contracts with a third party under subsection (b), the holder is responsible:

(1) to the administrator for the complete, accurate, and timely reporting of property presumed abandoned; and

(2) for paying or delivering to the administrator property described in the report.

Sec. 2. **[345A.402] CONTENT OF REPORT.**

(a) The report required under section 345A.401 must:

(1) be signed by or on behalf of the holder and verified as to its completeness and accuracy;

(2) be filed electronically, unless exception is granted, and be in a secure format approved by the administrator which protects confidential information of the apparent owner;

(3) describe the property;

(4) except for a traveler's check, money order, or similar instrument, contain the name, if known, last known address, if known, and Social Security number or taxpayer identification number, if known or readily ascertainable, of the apparent owner of property with a value of \$50 or more;

(5) for an amount held or owing under a life or endowment insurance policy or annuity contract, contain the name and last known address of the insured, annuitant, or other apparent owner of the policy or contract and of the beneficiary;

(6) for property held in or removed from a safe deposit box, indicate the location of the property, and where it may be inspected by the administrator;

(7) contain the commencement date for determining abandonment under sections 345A.201 to 345A.211;

(8) state that the holder has complied with the notice requirements of section 345A.501;

(9) identify property that is a nonfreely transferable security and explain why it is a nonfreely transferable security; and

(10) contain other information prescribed by the administrator.

(b) A report under section 345A.401 may include in the aggregate items valued under \$50 each. If the report includes items in the aggregate valued under \$50 each, the administrator may not require the holder to provide the name and address of an apparent owner of an item unless the information is necessary to verify or process a claim in progress by the apparent owner.

(c) A report under section 345A.401 may include personal information as defined in section 345A.401(a) about the apparent owner or the apparent owner's property.

(d) If a holder has changed its name while holding property presumed abandoned or is a successor to another person that previously held the property for the apparent owner, the holder must include in the report under section 345A.401 its former name or the name of the previous holder, if any, and the known name and address of each previous holder of the property.

Sec. 3. **[345A.403] WHEN REPORT TO BE FILED.**

(a) Except as otherwise provided in subsection (b) and subject to subsection (c), the report under section 345A.401 must be filed before November 1 of each year and cover the 12 months preceding July 1 of that year.

(b) Subject to subsection (c), the report under section 345A.401 to be filed by an insurance company must be filed before May 1 of each year for the immediately preceding calendar year.

(c) Before the date for filing the report under section 345A.401, the holder of property presumed abandoned may request the administrator to extend the time for filing. The administrator may grant an extension. If the extension is granted, the holder may pay or make a partial payment of the amount the holder estimates ultimately will be due. The payment or partial payment terminates accrual of interest on the amount paid.

Sec. 4. **[345A.404] RETENTION OF RECORDS BY HOLDER.**

A holder required to file a report under section 345A.401 shall retain records for ten years after the later of the date the report was filed or the last date a timely report was due to be filed, unless a shorter period is provided by rule of the administrator. The holder may satisfy the requirement to retain records under this section through an agent. The records must contain:

(1) the information required to be included in the report;

(2) the date, place, and nature of the circumstances that gave rise to the property right;

(3) the amount or value of the property;

(4) the last known address of the apparent owner, if known to the holder; and

(5) if the holder sells, issues, or provides to others for sale or issue in this state traveler's checks, money orders, or similar instruments, other than third-party bank checks, on which the holder is directly liable, a record of the instruments while they remain outstanding, indicating the state and date of issue.

Sec. 5. **[345A.405] PROPERTY REPORTABLE AND PAYABLE OR DELIVERABLE ABSENT OWNER DEMAND.**

Property is reportable and payable or deliverable under this chapter even if the owner fails to make demand or present an instrument or document otherwise required to obtain payment.

ARTICLE 5
UNCLAIMED PROPERTY; NOTICE TO APPARENT OWNER
OF PROPERTY PRESUMED ABANDONED

Section 1. **[345A.501] NOTICE TO APPARENT OWNER BY HOLDER.**

(a) Subject to subsection (b), the holder of property presumed abandoned shall send to the apparent owner notice by first-class United States mail that complies with section 345A.502 in a format acceptable to the administrator not more than 180 days nor less than 60 days before filing the report under section 345A.401 if:

(1) the holder has in its records an address for the apparent owner which the holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class United States mail to the apparent owner; and

(2) the value of the property is \$50 or more.

(b) If an apparent owner has consented to receive e-mail delivery from the holder, the holder shall send the notice described in subsection (a) both by first-class United States mail to the apparent owner's last known mailing address and by e-mail, unless the holder believes that the apparent owner's e-mail address is invalid.

(c) The holder of securities presumed abandoned under sections 345A.202, 345A.203, or 345A.208 shall send the apparent owner notice by certified United States mail that complies with section 345A.502, and in a format acceptable to the administrator, not less than 60 days before filing the report under section 345A.401, if:

(1) the holder has in its records an address for the apparent owner which the holder's records do not disclose to be invalid and is sufficient to direct the delivery of United States mail to the apparent owner; and

(2) the value of the property is \$1,000 or more.

(d) In addition to other indications of an apparent owner's interest in property pursuant to section 345A.210, a signed return receipt in response to a notice sent pursuant to this section by certified United States mail shall constitute a record communicated by the apparent owner to the holder concerning the property or the account in which the property is held.

Sec. 2. **[345A.502] CONTENTS OF NOTICE BY HOLDER.**

(a) Notice under section 345A.501 must contain a heading that reads substantially as follows: "Notice. The State of Minnesota requires us to notify you that your property may be transferred to the custody of the commissioner of commerce if you do not contact us before (insert date that is 30 days after the date of this notice)."

(b) The notice under section 345A.501 must:

(1) identify the nature and, except for property that does not have a fixed value, the value of the property that is the subject of the notice;

(2) state that the property will be turned over to the administrator;

(3) state that after the property is turned over to the administrator an apparent owner that seeks return of the property must file a claim with the administrator;

(4) state that property that is not legal tender of the United States may be sold by the administrator; and

(5) provide instructions that the apparent owner must follow to prevent the holder from reporting and paying or delivering the property to the administrator.

Sec. 3. **[345A.503] NOTICE BY ADMINISTRATOR.**

(a) The administrator shall give notice to an apparent owner that property presumed abandoned and that appears to be owned by the apparent owner is held by the administrator under this chapter.

(b) In providing notice under subsection (a), the administrator shall:

(1) publish every 12 months in at least one newspaper of general circulation in each county in this state notice of property held by the administrator which must include:

(A) the total value of property received by the administrator during the preceding 12-month period, taken from the reports under section 345A.401;

(B) the total value of claims paid by the administrator during the preceding 12-month period;

(C) the Internet address of the unclaimed property website maintained by the administrator;

(D) a telephone number and e-mail address to contact the administrator to inquire about or claim property; and

(E) a statement that a person may access the Internet by a computer to search for unclaimed property and a computer may be available as a service to the public at a local public library; and

(2) maintain a website or database accessible by the public and electronically searchable which contains the names reported to the administrator of all apparent owners for whom property is being held by the administrator. The administrator need not list property on such website when:

(A) no owner name was reported;

(B) a claim has been initiated or is pending for the property;

(C) the administrator has made direct contact with the apparent owner of the property; and

(D) other instances exist where the administrator reasonably believes exclusion of the property is in the best interests of both the state and the owner of the property.

(c) The website or database maintained under subsection (b)(2) must include instructions for filing with the administrator a claim to property and a printable claim form with instructions for its use.

(d) In addition to giving notice under subsection (b), publishing the information under subsection (b)(1), and maintaining the website or database under subsection (b)(2), the administrator may use other printed publication, telecommunication, the Internet, or other media to inform the public of the existence of unclaimed property held by the administrator.

ARTICLE 6
UNCLAIMED PROPERTY; TAKING CUSTODY
OF PROPERTY BY ADMINISTRATOR

Section 1. **[345A.601] DORMANCY CHARGE.**

(a) A holder may deduct a dormancy charge from property required to be paid or delivered to the administrator if:

(1) a valid contract between the holder and the apparent owner authorizes imposition of the charge for the apparent owner's failure to claim the property within a specified time; and

(2) the holder regularly imposes the charge and regularly does not reverse or otherwise cancel the charge.

(b) The amount of the deduction under subsection (a) is limited to an amount that is not unconscionable considering all relevant factors, including the marginal transactional costs incurred by the holder in maintaining the apparent owner's property and any services received by the apparent owner.

(c) A holder may not deduct an escheat fee or impose other charges solely by virtue of property being reported as presumed abandoned.

Sec. 2. **[345A.602] PAYMENT OR DELIVERY OF PROPERTY TO ADMINISTRATOR.**

(a) Except as otherwise provided in this section, on filing a report under section 345A.401, the holder shall pay or deliver to the administrator the property described in the report.

(b) If property in a report under section 345A.401 is an automatically renewable deposit and a penalty or forfeiture in the payment of interest would result from paying the deposit to the administrator at the time of the report, the date for payment of the property to the administrator is extended until a penalty or forfeiture no longer would result from payment, if the holder informs the administrator of the extended date.

(c) Tangible property in a safe deposit box may not be delivered to the administrator until 60 days after filing the report under section 345A.401.

(d) If property reported to the administrator under section 345A.401 is a security, the administrator may:

(1) make an endorsement, instruction, or entitlement order on behalf of the apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary to transfer the security; or

(2) dispose of the security under section 345A.702.

(e) If the holder of property reported to the administrator under section 345A.401 is the issuer of a certificated security, the administrator may obtain a replacement certificate in physical or book-entry form under section 336.8-405. An indemnity bond is not required.

(f) The administrator shall establish procedures for the registration, issuance, method of delivery, transfer, and maintenance of securities delivered to the administrator by a holder.

(g) An issuer, holder, and transfer agent or other person acting under this section under instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and must be indemnified by the state against, a claim arising with respect to property after the property has been delivered to the administrator.

(h) A holder is not required to deliver to the administrator a security identified by the holder as a nonfreely transferable security. If the administrator or holder determines that a security is no longer a nonfreely transferable security, the holder shall deliver the security on the next regular date prescribed for delivery of securities under this chapter. The holder shall make a determination annually whether a security identified in a report filed under section 345A.401 as a nonfreely transferable security is no longer a nonfreely transferable security.

Sec. 3. [345A.603] EFFECT OF PAYMENT OR DELIVERY OF PROPERTY TO ADMINISTRATOR.

On payment or delivery of property to the administrator under this chapter, the administrator, as agent for the state, assumes custody and responsibility for safekeeping the property. A holder that pays or delivers property to the administrator in good faith and substantially complies with sections 345A.501 and 345A.502 is relieved of liability which may arise thereafter with respect to the property so paid or delivered.

Sec. 4. [345A.604] RECOVERY OF PROPERTY BY HOLDERS FROM ADMINISTRATOR.

(a) A holder that under this chapter pays money to the administrator may file a claim for reimbursement from the administrator of the amount paid if the holder:

(1) paid the money in error; or

(2) after paying the money to the administrator, paid money to a person the holder reasonably believed entitled to the money.

(b) If a claim for return of property is made, the holder shall include with the claim evidence sufficient to establish that the apparent owner has claimed the property from the holder or that the property was delivered by the holder to the administrator in error.

Sec. 5. **[345A.605] CREDITING INCOME OR GAIN TO OWNER'S ACCOUNT.**

If property other than money is delivered to the administrator, the owner is entitled to receive from the administrator income or gain realized or accrued on the property before the property is sold. If the property was interest-bearing, the administrator shall pay interest at the lesser of the rate of the weekly average one-year constant maturity treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the beginning of the fiscal quarter in which the property was sold or the rate the property earned while in the possession of the holder. Interest begins to accrue when the property is delivered to the administrator and ends on the earlier of the expiration of ten years after its delivery or the date on which payment is made to the owner.

Sec. 6. **[345A.606] ADMINISTRATOR'S OPTIONS AS TO CUSTODY.**

(a) The administrator may decline to take custody of property reported under section 345A.401 if the administrator determines that:

- (1) the property has a value less than the estimated expenses of notice and sale of the property; or
- (2) taking custody of the property would be unlawful.

(b) A holder may pay or deliver property to the administrator before the property is presumed abandoned under this chapter if the holder:

(1) sends the apparent owner of the property notice required by section 345A.501 and provides the administrator evidence of the holder's compliance with this paragraph;

(2) includes with the payment or delivery a report regarding the property conforming to section 345A.402; and

(3) first obtains the administrator's written consent to accept payment or delivery.

(c) A holder's request for the administrator's consent under subsection (b)(3) must be in a record. If the administrator fails to respond to the request not later than 30 days after receipt of the request, the administrator is deemed to consent to the payment or delivery of the property and the payment or delivery is considered to have been made in good faith.

(d) On payment or delivery of property under subsection (b), the property is presumed abandoned.

Sec. 7. **[345A.607] DISPOSITION OF PROPERTY HAVING NO SUBSTANTIAL VALUE; IMMUNITY FROM LIABILITY.**

(a) If the administrator takes custody of property delivered under this chapter and later determines that the property has no substantial commercial value or that the cost of disposing of the property will exceed the value of the property, the administrator may return the property to the holder or destroy or otherwise dispose of the property.

(b) An action or proceeding may not be commenced against the state, an agency of the state, the administrator, another officer, employee, or agent of the state, or a holder for or because of an act of the administrator under this section, except for intentional misconduct or malfeasance.

Sec. 8. **[345A.608] PERIODS OF LIMITATION AND REPOSE.**

(a) Expiration, before, on, or after the effective date of this chapter, of a period of limitation on an owner's right to receive or recover property, whether specified by contract, statute, or court order, does not prevent the property from being presumed abandoned or affect the duty of a holder under this chapter to file a report or pay or deliver property to the administrator.

(b) An action or proceeding may not be maintained by the administrator to enforce this act's reporting, delivery, or payment requirements more than ten years after the holder specifically identified the property in a report filed with the administrator, or gave express notice to the administrator of a dispute regarding the property. In the absence of such a report or other express notice, the period of limitation is tolled. The period of limitation is also tolled by filing a fraudulent report.

ARTICLE 7
UNCLAIMED PROPERTY; SALE OF PROPERTY BY ADMINISTRATOR

Section 1. **[345A.701] PUBLIC SALE OF PROPERTY.**

(a) Subject to section 345A.702, not earlier than three years after receipt of property presumed abandoned, the administrator may sell the property.

(b) Before selling property under subsection (a), the administrator shall give notice to the public of:

(1) the date of the sale; and

(2) a reasonable description of the property.

(c) A sale under subsection (a) must be to the highest bidder:

(1) at public sale at a location in this state which the administrator determines to be the most favorable market for the property;

(2) on the Internet; or

(3) on another forum the administrator determines is likely to yield the highest net proceeds of sale.

(d) The administrator may decline the highest bid at a sale under this section and reoffer the property for sale if the administrator determines the highest bid is insufficient.

(e) If a sale held under this section is to be conducted other than on the Internet, the administrator must publish at least one notice of the sale, at least two weeks but not more than five weeks before the sale, in a newspaper of general circulation in the county in which the property is sold. For purposes of this subsection, the reasonable description of property to be sold required by subsection (b) may be satisfied by posting such information on the administrator's website so long as the newspaper notice includes the website address where such information is posted.

Sec. 2. **[345A.702] DISPOSAL OF SECURITIES.**

(a) The administrator may not sell or otherwise liquidate a security until one year after the administrator receives the security, unless requested to do so by the owner of the security in making a claim for the property.

(b) The administrator may not sell a security listed on an established stock exchange for less than the price prevailing on the exchange at the time of sale. The administrator may sell a security not listed on an established exchange by any commercially reasonable method.

Sec. 3. **[345A.704] PURCHASER OWNS PROPERTY AFTER SALE.**

A purchaser of property at a sale conducted by the administrator under this chapter takes the property free of all claims of the owner, a previous holder, or a person claiming through the owner or holder. The administrator shall execute documents necessary to complete the transfer of ownership to the purchaser.

ARTICLE 8
UNCLAIMED PROPERTY; ADMINISTRATION OF PROPERTY

Section 1. **[345A.801] DEPOSIT OF FUNDS BY ADMINISTRATOR.**

(a) The administrator shall deposit in the general fund all funds received under this chapter, including proceeds from the sale of property under sections 345A.701 to 345A.704, except:

- (1) expenses of disposition of property delivered to the administrator under this chapter;
- (2) expenses incurred in examining records of or collecting property from a putative holder or holder; and
- (3) as otherwise provided in this chapter.

Sec. 2. **[345A.802] ADMINISTRATOR TO RETAIN RECORDS OF PROPERTY.**

The administrator shall:

- (1) record and retain the name and last known address of each person shown on a report filed under section 345A.401 to be the apparent owner of property delivered to the administrator;
- (2) record and retain the name and last known address of each insured or annuitant and beneficiary shown on the report;
- (3) for each policy of insurance or annuity contract listed in the report of an insurance company, record and retain the policy or account number, the name of the company, and the amount due or paid; and
- (4) for each apparent owner listed in the report, record and retain the name of the holder that filed the report and the amount due or paid.

ARTICLE 9
UNCLAIMED PROPERTY; CONFIDENTIALITY
AND SECURITY OF INFORMATION

Section 1. **[345A.901] DATA PRACTICES.**

(a) All working papers, recorded information, documents, and copies thereof produced by, obtained by, or disclosed to the administrator or the administrator's agent in the course of an examination made under this chapter are classified private or nonpublic for purposes of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, are not subject to subpoena, and may only be disclosed to:

(1) the extent required or permitted by law to report upon or take special action regarding compliance and delivery of unclaimed property, or ordered by a court of law to testify or produce evidence in a civil or criminal proceeding;

(2) another department or agency of this state or the United States;

(3) the person that administers the unclaimed property law of another state, if the other state accords substantially reciprocal privileges to the administrator of this state and maintains the confidentiality and security of information obtained in a substantially equivalent manner;

(4) a person subject to an examination as required by this chapter; and

(5) the auditor or administrator of a joint examination conducted with another state, the United States, a foreign country or subordinate unit of a foreign country, or any other governmental entity if the governmental entity conducting the examination maintains the confidentiality and security of information in a substantially equivalent manner.

(b) All personal information derived or otherwise obtained by or communicated to the administrator or the administrator's agent from a person making a claim for personal property are classified private or nonpublic for purposes of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and may not be made public by the administrator or the administrator's agent, except to:

(1) the subject, or the subject's personal representative, attorney, other legal representative, heir, or agent designated to have the information;

(2) the personal representative of an estate, other legal representative, agent designated by a deceased apparent owner, or a person entitled to inherit from a deceased apparent owner;

(3) another department or agency of this state or the United States; and

(4) the extent required or permitted by law or ordered by a court of law to testify or produce evidence in a civil or criminal proceeding.

(c) Except as otherwise provided by law, the administrator shall include on its website or in the database required by section 345A.503(b)(2) the name of each apparent owner of property held by the administrator. The administrator may include in published notices, printed publications, telecommunications, the Internet, or other media and on the website or in the database additional information concerning the apparent owner's property if the administrator believes the information will assist in identifying and returning property to the owner and does not disclose personal information except the home or physical address of an apparent owner.

ARTICLE 10
UNCLAIMED PROPERTY; HEARINGS, PROCEDURE,
AND JUDICIAL REVIEW

Section 1. Minnesota Statutes 2018, section 345.515, is amended to read:

345.515 AGREEMENTS TO LOCATE REPORTED PROPERTY.

It is unlawful for a person to seek or receive from another person or contract with a person for a fee or compensation for locating property, ~~knowing it to have been reported or paid or delivered to the commissioner pursuant to chapter 345~~ prior to 24 months after the date the property is paid or delivered to the ~~commissioner~~ administrator.

~~No An agreement entered into after 24 months after the date the property is paid or delivered to the commissioner is valid only if a person thereby undertakes to locate property included in a report for a fee or other compensation exceeding ten percent of the value of the recoverable property unless the agreement is in writing and, is signed by the owner and, discloses the nature and value of the property and the name and address of the holder thereof as such facts have been reported, and provides for compensation in an amount that is no more than 15 percent of the amount collected.~~ Nothing in this section shall be construed to prevent an owner from asserting at any time that an agreement to locate property is based upon an excessive or unjust consideration.

Sec. 2. Minnesota Statutes 2018, section 345.53, subdivision 1, is amended to read:

Subdivision 1. ~~Commissioner's~~ **Administrator's duties.** (a) ~~The commissioner~~ administrator or the administrator's agent may at reasonable times and upon reasonable notice examine the records of any person, including examination of appropriate records in the possession of an agent of the person under examination, if there is reason to believe that the person has failed to report property that should have been reported pursuant to sections 345.31 to 345.60. ~~the records are reasonably necessary to determine whether the person has complied with this chapter. The administrator may issue an administrative subpoena requiring the person or agent of the person to make records available for examination, and bring an action seeking judicial enforcement of the subpoena, as well as impose penalties under section 345.55.~~

(b) The administrator may contract with a person to conduct an examination under this chapter. The contract shall be awarded pursuant to a request for proposals issued in compliance with the state procurement rules.

(1) If the administrator contracts with a person under this subsection, the contract may provide for compensation of the person based on a fixed fee, hourly fee, or contingent fee.

(2) A contract under subsection (b) is public data.

(c) If the administrator conducts an examination under subsection (a), each person under examination shall pay an examination fee upon the request of the administrator and to be based on the salary cost of examiners or assistants, and at such an average rate per day or fraction thereof so as to provide for the total cost of such examinations. In no case may the charges exceed the value of the property found to be reportable and deliverable.

(d) All data gathered in the course of an examination or audit of a holder or purported holder under this chapter is classified as private or nonpublic information under the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, except as set forth in section (b)(2) and except that such data may be disclosed as follows:

(1) to the extent required or permitted by law to report upon or take special action regarding compliance and delivery of unclaimed property, or ordered by a court of law;

(2) to another department or agency of this state or the United States;

(3) to the person that administers the unclaimed property law of another state, if the other state accords substantially reciprocal privileges to the administrator of this state, and maintains the confidentiality and security of information by law or by agreement in a substantially equivalent manner;

(4) to a person subject to an examination as required by this chapter; and

(5) to the auditor or administrator of a joint examination conducted with another state, the United States, a foreign country or subordinate unit of a foreign country, or any other governmental entity if the governmental entity conducting the examination maintains the confidentiality and security of information by law or by agreement in a substantially equivalent manner.

Sec. 3. Minnesota Statutes 2018, section 345.53, is amended by adding a subdivision to read:

Subd. 3. **Failure of person examined to retain records.** If a person subject to examination under this chapter does not retain the records required by section 345A.404, the administrator may determine the value of property due using a reasonable method of estimation based on all information available to the administrator, including extrapolation and use of statistical sampling when appropriate and necessary. A payment made based on estimation under this section is a penalty for failure to maintain the records required by section 345A.404, and does not relieve a person from an obligation to report and deliver property to a state in which the holder is domiciled.

Sec. 4. **[345A.950] HEARINGS, PROCEDURE, JUDICIAL REVIEW.**

(a) Any person aggrieved by a decision of the administrator under this chapter as it relates to holder examinations may, within 21 days after that decision, make a written request to the administrator for a hearing pursuant to this article to determine whether the decision complies with the requirements of this chapter.

(b) Any person aggrieved by a decision of the administrator under this chapter as it relates to claims of ownership of unclaimed property may, within 21 days after that decision or within 180 days from the filing of the claim if the administrator fails to act on a claim, make a written request to the administrator for a hearing pursuant to this article to determine whether the decision complies with the requirements of this chapter.

(c) At the administrator's discretion, a hearing may be based upon written submissions, and nothing contained in this section requires the observance of formal rules of pleading or evidence.

(d) The administrator shall commence a hearing within 45 days after receipt of the request and shall give not less than 15 days' written notice of the hearing. Within 30 days after the hearing, the administrator shall affirm, reverse, or modify the previous action and specify the reasons for that decision in writing.

(e) An order or decision of the administrator is a final decision subject to appeal in accordance with chapter 14.

Sec. 5. **REPEALER.**

Minnesota Statutes 2018, section 345.53, subdivision 2, is repealed.

ARTICLE 11 APPROPRIATION

Section 1. **UNCLAIMED PROPERTY COMPLIANCE.**

"\$384,000 in fiscal year 2020 and \$384,000 in fiscal year 2021 are appropriated from the general fund to the commissioner of commerce for additional compliance efforts with respect to unclaimed property. The commissioner may issue contracts for these services."

Delete the title and insert:

"A bill for an act relating to commerce; unclaimed property; codifying the Revised Unclaimed Property Act; appropriating money; amending Minnesota Statutes 2018, sections 345.515; 345.53, subdivision 1, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 345A; repealing Minnesota Statutes 2018, section 345.53, subdivision 2."

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

The report was adopted.

Sundin from the Committee on Labor to which was referred:

H. F. No. 2543, A bill for an act relating to employment; exempting minor league baseball players from minimum wage and overtime requirements; amending Minnesota Statutes 2018, section 177.23, subdivision 7.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

S. F. No. 131, A bill for an act relating to health care; requiring facility fee disclosure; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

The report was adopted.

Moran from the Committee on Health and Human Services Policy to which was referred:

S. F. No. 584, A bill for an act relating to health licensing; converting allied health professions to a birth month renewal cycle; making technical corrections; modifying certain fees; amending Minnesota Statutes 2018, sections 147.01, subdivision 7; 147.012; 147.02, by adding a subdivision; 147A.06; 147A.07; 147A.28; 147B.02, subdivision 9, by adding a subdivision; 147B.08; 147C.15, subdivision 7, by adding a subdivision; 147C.40; 147D.17, subdivision 6, by adding a subdivision; 147D.27, by adding a subdivision; 147E.15, subdivision 5, by adding a subdivision; 147E.40, subdivision 1; 147F.07, subdivision 5, by adding subdivisions; 147F.17, subdivision 1; 148.7815, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 147A; 147B; 147C; 147D; 147E; 147F; repealing Minnesota Rules, part 5600.0605, subparts 5, 8.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 559, 783, 990, 1063, 1262, 1393, 1983, 2027 and 2150 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 131 and 584 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Poston, Miller, Anderson, Munson and Hamilton introduced:

H. F. No. 2744, A bill for an act relating to animals; increasing Board of Animal Health membership; amending Minnesota Statutes 2018, section 35.02, subdivision 1.

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

Freiberg introduced:

H. F. No. 2745, A bill for an act relating to human services; establishing Capitol complex sighted assistance pilot project; requiring a report; appropriating money.

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

Acomb introduced:

H. F. No. 2746, A bill for an act relating to state government; appropriating money to preserve and make accessible historic resources.

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

Wazlawik introduced:

H. F. No. 2747, A bill for an act relating to environment; authorizing repair or replacement of subsurface sewage treatment systems to be financed through the agricultural best management practices loan program regardless of where in the state the subsurface sewage treatment system is located; amending Minnesota Statutes 2018, section 17.117, subdivision 4.

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

Acomb, Wagenius and Bierman introduced:

H. F. No. 2748, A bill for an act relating to capital investment; energy; establishing a loan fund for energy conservation improvements in schools; appropriating money; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Huot introduced:

H. F. No. 2749, A bill for an act relating to taxation; individual income; increasing the phaseout threshold for the past military service credit; amending Minnesota Statutes 2018, section 290.0677, subdivision 1a.

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

Nelson, M., introduced:

H. F. No. 2750, A bill for an act relating to state government; reducing the base appropriation to the commissioner of administration; prohibiting a transfer to the Minnesota Film and TV Board in fiscal years 2020 and 2021.

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

Nelson, M., introduced:

H. F. No. 2751, A bill for an act relating to state government; reducing the base appropriation to the Minnesota Humanities Center; prohibiting grants for the Healthy Eating, Here at Home program in fiscal years 2020 and 2021.

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

Olson, Long and Edelson introduced:

H. F. No. 2752, A bill for an act relating to elections; requiring certain candidates for president and vice-president to release federal income tax information; amending Minnesota Statutes 2018, section 207A.13, by adding a subdivision.

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

Gomez introduced:

H. F. No. 2753, A bill for an act relating to taxation; individual income; modifying tax brackets; amending Minnesota Statutes 2018, section 290.06, subdivisions 2c, 2d.

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

Lislegard introduced:

H. F. No. 2754, A bill for an act relating to capital investment; appropriating money for improvements to the Hoyt Lakes Arena; authorizing the sale and issuance of state bonds.

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

Lislegard introduced:

H. F. No. 2755, A bill for an act relating to higher education; appropriating money for the Iron Range engineering program.

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

Sandell introduced:

H. F. No. 2756, A bill for an act relating to taxation; income and estate; imposing additional tax on certain capital gain and dividend income; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Grossell introduced:

H. F. No. 2757, A bill for an act relating to natural resources; modifying bear-baiting restrictions; amending Minnesota Statutes 2018, section 97B.426.

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

Vang introduced:

H. F. No. 2758, A resolution memorializing the President and Congress to direct the United States Food and Drug Administration to revise its current blood or plasma donor deferral policy related to men who have had sex with a man and to women who have had sex with a man who has had sex with another man within the previous 12 months from the most recent contact.

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

Lesch and Davids introduced:

H. F. No. 2759, A bill for an act relating to taxation; regulating direct shippers of wine; imposing sales and use taxes, liquor gross receipts taxes, and excise taxes on direct shipments of wine; providing for licensing and required reports; providing for classification of data; prohibiting bootlegging; amending Minnesota Statutes 2018, sections 13.6905, by adding a subdivision; 295.75, subdivision 4; 297A.83, subdivision 1; 297G.07, subdivision 1; 299A.706; 340A.304; 340A.417; proposing coding for new law in Minnesota Statutes, chapter 340A.

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

Torkelson, Urdahl, Bennett, Petersburg and Nelson, N., introduced:

H. F. No. 2760, A bill for an act relating to transportation; appropriating money for local roads and bridges; authorizing sale and issuance of general obligation bonds.

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

Koegel introduced:

H. F. No. 2761, A bill for an act relating to capital investment; appropriating money for an interchange on marked Trunk Highway 65; authorizing the sale and issuance of state bonds.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1743.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

CAL R. LUDEMAN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. No. 1743

A bill for an act relating to education; modifying the calculation of days and hours of instruction for students affected by snow days during the 2018-2019 school year; requiring affected school districts to report to the commissioner.

March 27, 2019

The Honorable Jeremy R. Miller
President of the Senate

The Honorable Melissa Hortman
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1743 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1743 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **SCHOOL CALENDAR ADJUSTMENT; 2018-2019 SCHOOL YEAR.**

Subdivision 1. Required school days and hours. (a) Notwithstanding Minnesota Statutes, sections 120A.32, 120A.41, and 126C.05, the board of a school district or charter school that canceled school on one or more days during the 2018-2019 school year due to health and safety concerns may count those days as instructional days for

purposes of calculating the number of hours and days in the school year under Minnesota Statutes, section 120A.41, and the calculation of average daily membership under Minnesota Statutes, section 126C.05, for students enrolled both before and after those school closure dates.

(b) If a school district or charter school would not have met the required minimum number of days and hours of instruction for students without the authority in paragraph (a), the district or charter school must report to the commissioner of education in the form and manner determined by the commissioner on the number of days and hours that the district counted under paragraph (a) to meet the required days and hours of instruction. A school district that counts a day that school was canceled as an instructional day in accordance with paragraph (a) is encouraged to adopt an e-learning day plan under Minnesota Statutes, section 120A.414.

(c) If a school board resolves to count a day that school was canceled as an instructional day in accordance with paragraph (a), the school district must compensate employees and contract employers in accordance with subdivisions 2 and 3.

Subd. 2. **Instructional day; employees.** (a) This subdivision applies to the employee of a school district that resolves to count a day that school was canceled as an instructional day in accordance with subdivision 1 who:

(1) was scheduled to work on a day that school was canceled and counted as an instructional day;

(2) did not work on any or all of those days; and

(3) did not receive compensation for those days.

(b) Notwithstanding any law to the contrary, for each day identified in paragraph (a), a school district must either:

(1) allow any school district employee under paragraph (a) the opportunity to work on another day that the school district designates and must compensate the employee working on the designated day at the employee's normal rate of pay; or

(2) compensate any school district employee under paragraph (a) for each of the days not worked at the employee's normal rate of pay.

Subd. 3. **Contract employer to pay eligible employees.** (a) For purposes of this subdivision, "contract employer" means an employer who provides student-related services throughout the school year to a school district, and "eligible employee" means a person:

(1) whose primary task is to provide services to students attending a school district;

(2) who was scheduled to work for the contract employer on any of the days that school was canceled and the school board counts as an instructional day in accordance with subdivision 1;

(3) who did not work on any or all of those days; and

(4) who did not receive compensation for any or all of the employee's regularly scheduled shifts on those school days.

(b) A school district must notify a contract employer which days it counted as instructional days under subdivision 1, if any.

(c) A contract employer who agrees to compensate its eligible employees at their normal rate of pay for the hours of pay lost due to a school cancellation, later counted as an instructional day under subdivision 1, must notify the district of its intended action and, once notified, the school district must fully compensate the contract employer for the days identified under paragraph (b).

(d) Notwithstanding paragraph (b), a school district and contract employer may adjust the full, regularly scheduled daily contract rate if special circumstances within the district warrant an adjustment.

Subd. 4. **Probationary teachers.** For the 2018-2019 school year only, for purposes of Minnesota Statutes, sections 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision 2, paragraph (d), the minimum number of days of teacher service that a probationary teacher must complete equals the difference between 120 days and the number of scheduled instructional days that were canceled due to health and safety concerns and that the school board resolved to count as days of instruction under Minnesota Statutes, section 120A.41.

Subd. 5. **Accounting.** Notwithstanding any law to the contrary, services paid under subdivision 2 or 3, including expenses recorded in the food service fund, may be charged to the same Uniform Financial Accounting and Reporting Standards object code to which the service is charged for an instructional day.

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

Delete the title and insert:

"A bill for an act relating to education; modifying the calculation of days and hours of instruction and compensation for school days canceled during the 2018-2019 school year; requiring affected school districts to report to the commissioner."

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

Senate Conferees: CARLA J. NELSON, CHARLES W. WIGER and JOHN JASINSKI.

House Conferees: SHELLY CHRISTENSEN, CHERYL YOUAKIM and DEAN URDAHL.

Christensen moved that the report of the Conference Committee on S. F. No. 1743 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1743, A bill for an act relating to education; modifying the calculation of days and hours of instruction for students affected by snow days during the 2018-2019 school year; requiring affected school districts to report to the commissioner.

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 115 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Acomb	Backer	Becker-Finn	Bierman	Cantrell	Christensen
Albright	Bahner	Bennett	Boe	Carlson, A.	Clafin
Anderson	Baker	Bernardy	Brand	Carlson, L.	Considine

Daniels	Haley	Kresha	Moller	Poston	Urdahl
Davids	Halverson	Kunesh-Podein	Moran	Pryor	Vang
Davnie	Hamilton	Lee	Morrison	Richardson	Vogel
Dehn	Hansen	Lesch	Murphy	Robbins	Wagenius
Demuth	Hassan	Liebling	Nelson, M.	Runbeck	Wazlawik
Dettmer	Hausman	Lien	Nelson, N.	Sandell	Winkler
Ecklund	Heintzeman	Lillie	Neu	Sandstede	Wolgamott
Edelson	Her	Lippert	Noor	Sauke	Xiong, J.
Elkins	Hornstein	Lislegard	Nornes	Schomacker	Xiong, T.
Erickson	Howard	Loeffler	O'Driscoll	Schultz	Youakim
Fabian	Huot	Long	Olson	Scott	Zerwas
Fischer	Johnson	Lueck	Pelowski	Stephenson	Spk. Hortman
Franson	Jurgens	Mahoney	Persell	Sundin	
Freiberg	Kiel	Mann	Petersburg	Swedzinski	
Gomez	Klevorn	Mariani	Pierson	Tabke	
Grossell	Koegel	Marquart	Pinto	Theis	
Gunther	Kotyza-Witthuhn	Masin	Poppe	Torkelson	

Those who voted in the negative were:

Bahr	Garofalo	Gruenhagen	Hertaus	Mekeland	Munson
Drazkowski	Green	Heinrich	Lucero	Miller	Quam

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

MESSAGES FROM THE SENATE, Continued

The following message was received from the Senate:

Madam Speaker:

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

S. F. Nos. 1547 and 1757.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1547, A bill for an act relating to unemployment insurance; adopting changes recommended by the Unemployment Insurance Advisory committee in the 2018 legislative session; amending Minnesota Statutes 2018, sections 268.035, subdivisions 4, 12, 15, 20; 268.044, subdivisions 2, 3; 268.046, subdivision 1; 268.047, subdivision 3; 268.051, subdivision 2a; 268.057, subdivision 5; 268.069, subdivision 1; 268.07, subdivision 1; 268.085, subdivisions 3, 3a, 13a, by adding subdivisions; 268.095, subdivisions 6, 6a; 268.105, subdivision 6; 268.145, subdivision 1; 268.18, subdivisions 2b, 5.

The bill was read for the first time.

Xiong, J., moved that S. F. No. 1547 and H. F. No. 374, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1757, A bill for an act relating to commerce; prohibiting the use of appropriated funds to support certain legal proceedings.

The bill was read for the first time.

MOTION TO DECLARE URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Fabian moved that the rule therein be suspended and an urgency be declared and that the rules of the House be so far suspended so that S. F. No. 1757 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Winkler moved that the Fabian motion be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Winkler motion and the roll was called. There were 75 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Howard	Loeffler	Olson	Tabke
Bahner	Ecklund	Huot	Long	Pelowski	Vang
Becker-Finn	Edelson	Klevorn	Mahoney	Persell	Wagenius
Bernardy	Elkins	Koegel	Mann	Pinto	Wazlawik
Bierman	Fischer	Kotyza-Witthuhn	Mariani	Poppe	Winkler
Brand	Freiberg	Kunesh-Podein	Marquart	Pryor	Wolgamott
Cantrell	Gomez	Lee	Masin	Richardson	Xiong, J.
Carlson, A.	Halverson	Lesch	Moller	Sandell	Xiong, T.
Carlson, L.	Hansen	Liebling	Moran	Sandstede	Youakim
Christensen	Hassan	Lien	Morrison	Sauke	Spk. Hortman
Clafin	Hausman	Lillie	Murphy	Schultz	
Considine	Her	Lippert	Nelson, M.	Stephenson	
Davnie	Hornstein	Lislegard	Noor	Sundin	

Those who voted in the negative were:

Albright	Dettmer	Gunther	Kresha	O'Driscoll	Swedzinski
Anderson	Drazkowski	Haley	Lucero	Petersburg	Theis
Bahr	Erickson	Hamilton	Lueck	Pierson	Torkelson
Baker	Fabian	Heinrich	Mekeland	Poston	Urdahl
Bennett	Franson	Heintzeman	Miller	Quam	Vogel
Boe	Garofalo	Hertaus	Munson	Robbins	Zerwas
Daniels	Green	Johnson	Nelson, N.	Runbeck	
Davids	Grossell	Jurgens	Neu	Schomacker	
Demuth	Gruenhagen	Kiel	Nornes	Scott	

The motion prevailed and the Fabian motion was laid on the table.

S. F. No. 1757 was referred to the Committee on Commerce.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the Joint Convention on Wednesday, April 3, 2019:

Koegel, Kotyza-Witthuhn, Vang, Boe and Munson.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Monday, April 1, 2019 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 495, 1543, 2051, 2265 and 2276.

CALENDAR FOR THE DAY

S. F. No. 307 was reported to the House.

Jurgens moved to amend S. F. No. 307, the first engrossment, as follows:

Page 1, line 5, delete "\$10,000,000" and insert "\$23,000,000" and delete "is" and insert "and \$20,000,000 in fiscal year 2020 are"

Page 1, delete line 7 and insert "These are onetime transfers. Of the \$23,000,000 transferred in fiscal year 2019, up to \$3,000,000 is available to provide the state match for FEMA major disaster declaration DR-4414 for St. Louis County resulting from severe storms and flooding in October 2018."

A roll call was requested and properly seconded.

The question was taken on the Jurgens amendment and the roll was called. There were 47 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Albright	Boe	Erickson	Grossell	Heinrich	Kiel
Anderson	Daniels	Fabian	Gruenhagen	Heintzeman	Kresha
Backer	Davids	Franson	Gunther	Hertaus	Kunesh-Podein
Baker	Demuth	Garofalo	Haley	Johnson	Lueck
Bennett	Dettmer	Green	Hamilton	Jurgens	Nelson, N.

Neu	Petersburg	Quam	Schomacker	Theis	Vogel
Nornes	Pierson	Robbins	Scott	Torkelson	Zerwas
O'Driscoll	Poston	Runbeck	Swedzinski	Urdahl	

Those who voted in the negative were:

Acomb	Dehn	Howard	Lucero	Noor	Tabke
Bahner	Drazkowski	Huot	Mahoney	Olson	Vang
Bahr	Ecklund	Klevorn	Mann	Pelowski	Wagenius
Becker-Finn	Edelson	Koegel	Mariani	Persell	Wazlawik
Bernardy	Elkins	Kotyza-Witthuhn	Marquart	Pinto	Winkler
Bierman	Fischer	Lee	Masin	Poppe	Wolgamott
Brand	Freiberg	Lesch	Mekeland	Pryor	Xiong, J.
Cantrell	Gomez	Liebling	Miller	Richardson	Xiong, T.
Carlson, A.	Halverson	Lien	Moller	Sandell	Youakim
Carlson, L.	Hansen	Lillie	Moran	Sandstede	Spk. Hortman
Christensen	Hassan	Lippert	Morrison	Sauke	
Clafin	Hausman	Lislegard	Munson	Schultz	
Considine	Her	Loeffler	Murphy	Stephenson	
Davnie	Hornstein	Long	Nelson, M.	Sundin	

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

S. F. No. 307, A bill for an act relating to public safety; transferring money to the disaster contingency account.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Hassan	Lippert	Nornes	Sundin
Albright	Demuth	Hausman	Lislegard	O'Driscoll	Swedzinski
Anderson	Dettmer	Heinrich	Loeffler	Olson	Tabke
Backer	Drazkowski	Heintzeman	Long	Pelowski	Theis
Bahner	Ecklund	Her	Lucero	Persell	Torkelson
Bahr	Edelson	Hertaus	Lueck	Petersburg	Urdahl
Baker	Elkins	Hornstein	Mahoney	Pierson	Vang
Becker-Finn	Erickson	Howard	Mann	Pinto	Vogel
Bennett	Fabian	Huot	Mariani	Poppe	Wagenius
Bernardy	Fischer	Johnson	Marquart	Poston	Wazlawik
Bierman	Franson	Jurgens	Masin	Pryor	Winkler
Boe	Freiberg	Kiel	Mekeland	Quam	Wolgamott
Brand	Garofalo	Klevorn	Miller	Richardson	Xiong, J.
Cantrell	Gomez	Koegel	Moller	Robbins	Xiong, T.
Carlson, A.	Green	Kotyza-Witthuhn	Moran	Runbeck	Youakim
Carlson, L.	Grossell	Kresha	Morrison	Sandell	Zerwas
Christensen	Gruenhagen	Kunesh-Podein	Munson	Sandstede	Spk. Hortman
Clafin	Gunther	Lee	Murphy	Sauke	
Considine	Haley	Lesch	Nelson, M.	Schomacker	
Daniels	Halverson	Liebling	Nelson, N.	Schultz	
Davids	Hamilton	Lien	Neu	Scott	
Davnie	Hansen	Lillie	Noor	Stephenson	

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Lucero moved that the name of Robbins be added as an author on H. F. No. 114. The motion prevailed.

Albright moved that the names of Bierman and O'Driscoll be added as authors on H. F. No. 306. The motion prevailed.

Garofalo moved that the name of Haley be added as an author on H. F. No. 322. The motion prevailed.

Moran moved that the names of Cantrell and Halverson be added as authors on H. F. No. 342. The motion prevailed.

Kresha moved that the name of Schomacker be added as an author on H. F. No. 499. The motion prevailed.

Davnie moved that the name of Lillie be added as an author on H. F. No. 521. The motion prevailed.

Moran moved that the name of Halverson be added as an author on H. F. No. 563. The motion prevailed.

Morrison moved that the name of Bahner be added as an author on H. F. No. 636. The motion prevailed.

Pelowski moved that the name of Bahner be added as an author on H. F. No. 682. The motion prevailed.

Morrison moved that the name of Mann be added as an author on H. F. No. 909. The motion prevailed.

Kunesh-Podein moved that the name of Gomez be added as an author on H. F. No. 930. The motion prevailed.

Moran moved that the name of Olson be added as an author on H. F. No. 1050. The motion prevailed.

Xiong, J., moved that the name of Olson be added as an author on H. F. No. 1088. The motion prevailed.

Morrison moved that the names of Bahner and Mann be added as authors on H. F. No. 1167. The motion prevailed.

Sandell moved that the name of Kotyza-Witthuhn be added as an author on H. F. No. 1190. The motion prevailed.

Baker moved that the name of Mekeland be added as an author on H. F. No. 1247. The motion prevailed.

Hansen moved that the names of Tabke, Ecklund and Lippert be added as authors on H. F. No. 1292. The motion prevailed.

Hornstein moved that the name of Cantrell be added as an author on H. F. No. 1388. The motion prevailed.

Stephenson moved that the name of Elkins be added as an author on H. F. No. 1398. The motion prevailed.

Stephenson moved that the names of Bahner, Becker-Finn and Xiong, J., be added as authors on H. F. No. 1424. The motion prevailed.

Fischer moved that the name of Xiong, J., be added as an author on H. F. No. 1502. The motion prevailed.

Morrison moved that the name of Cantrell be added as an author on H. F. No. 1535. The motion prevailed.

Liebling moved that the name of Cantrell be added as an author on H. F. No. 1540. The motion prevailed.

Poppe moved that the name of Haley be added as an author on H. F. No. 1553. The motion prevailed.

Huot moved that the name of Olson be added as an author on H. F. No. 1750. The motion prevailed.

Mariani moved that the name of Poston be added as an author on H. F. No. 1834. The motion prevailed.

Lee moved that the name of Mariani be added as an author on H. F. No. 2000. The motion prevailed.

Mahoney moved that the name of Moran be added as an author on H. F. No. 2043. The motion prevailed.

Liebling moved that the name of Long be added as an author on H. F. No. 2094. The motion prevailed.

Kotyza-Witthuhn moved that the name of Morrison be added as an author on H. F. No. 2111. The motion prevailed.

Nelson, M., moved that the name of Long be added as an author on H. F. No. 2122. The motion prevailed.

Moran moved that the name of Xiong, J., be added as an author on H. F. No. 2413. The motion prevailed.

Sundin moved that the name of Olson be added as an author on H. F. No. 2467. The motion prevailed.

Pierson moved that the names of Franson and Xiong, T., be added as authors on H. F. No. 2500. The motion prevailed.

Hausman moved that the name of Davnie be added as an author on H. F. No. 2526. The motion prevailed.

Murphy moved that the name of Lillie be added as an author on H. F. No. 2529. The motion prevailed.

Mahoney moved that the name of Jurgens be added as an author on H. F. No. 2537. The motion prevailed.

Bernardy moved that the names of Her and Xiong, J., be added as authors on H. F. No. 2551. The motion prevailed.

Hansen moved that the names of Becker-Finn, Tabke, Sundin, Christensen, Lillie, Mariani, Vang, Lien, Ecklund, Richardson and Carlson, A., be added as authors on H. F. No. 2574. The motion prevailed.

Pryor moved that the name of Becker-Finn be added as an author on H. F. No. 2663. The motion prevailed.

Clafin moved that the name of Huot be added as an author on H. F. No. 2695. The motion prevailed.

Zerwas moved that the name of Albright be added as an author on H. F. No. 2721. The motion prevailed.

Kiel moved that the name of Theis be added as an author on H. F. No. 2722. The motion prevailed.

Wolgamott moved that the name of Lillie be added as an author on H. F. No. 2730. The motion prevailed.

Franson moved that the name of Kresha be added as an author on H. F. No. 2732. The motion prevailed.

Lislegard moved that his name be stricken as an author on H. F. No. 2736. The motion prevailed.

Lesch moved that H. F. No. 2051, now on the Calendar for the Day, be re-referred to the Judiciary Finance and Civil Law Division. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following appointments and changes in committee assignments:

Environment and Natural Resources Finance Division: Add the name of Theis.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 3:30 p.m., Monday, April 1, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Monday, April 1, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives