

FORTY-THIRD DAY

St. Paul, Minnesota, Tuesday, April 21, 2015

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

Senator Bakk imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Paul Rogers.

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

The roll was called, and the following Senators answered to their names:

Anderson	Eaton	Johnson	Pappas	Skoe
Bakk	Eken	Kent	Pederson, J.	Sparks
Benson	Fischbach	Kiffmeyer	Petersen, B.	Stumpf
Bonoff	Franzen	Koenen	Pratt	Thompson
Brown	Gazelka	Latz	Reinert	Tomassoni
Carlson	Goodwin	Limmer	Rest	Torres Ray
Chamberlain	Hall	Lourey	Rosen	Weber
Champion	Hann	Marty	Ruud	Westrom
Clausen	Hawj	Metzen	Saxhaug	Wiger
Cohen	Hayden	Nelson	Scalze	Wiklund
Dahle	Hoffman	Newman	Schmit	
Dahms	Housley	Nienow	Senjem	
Dibble	Ingebrigtsen	Ortman	Sheran	
Dziedzic	Jensen	Osmeck	Sieben	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

April 21, 2015

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

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2015 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2015	Date Filed 2015
	794	7	9:51 a.m. April 21	April 21

Sincerely,
Steve Simon
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1563.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 20, 2015

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1725.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 20, 2015

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1725: A bill for an act relating to state government; permitting electronic filing for hearings in contested cases at the Office of Administrative Hearings; amending Minnesota Statutes 2014, section 14.58.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1360, now on General Orders.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1110: A bill for an act relating to the West Metro Education Program; conveying school buildings to member districts; providing for an orderly transition.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 983: A bill for an act relating to taxation; special fuels; modifying the tax rate on compressed natural gas; amending Minnesota Statutes 2014, section 296A.08, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2014, section 296A.08, subdivision 2, is amended to read:

Subd. 2. **Rate of tax.** The special fuel excise tax is imposed at the following rates:

(a) Liquefied petroleum gas or propane is taxed at the rate of 18.75 cents per gallon.

(b) Liquefied natural gas is taxed at the rate of 15 cents per gallon.

(c) Compressed natural gas is taxed at the rate of ~~\$2.174~~ \$1.974 per thousand cubic feet; or 25 cents per gasoline equivalent. For purposes of this paragraph, "gasoline equivalent," as defined by the National Conference on Weights and Measures, is 5.66 pounds of natural gas or 126.67 cubic feet.

(d) All other special fuel is taxed at the same rate as the gasoline excise tax as specified in section 296A.07, subdivision 2. The tax is payable in the form and manner prescribed by the commissioner.

EFFECTIVE DATE. This section is effective for sales and purchases made after June 30, 2015."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 269: A bill for an act relating to taxation; petroleum; dedicating revenues from the aviation taxes on gasoline used as substitute for aviation gasoline to the state airports fund; amending Minnesota Statutes 2014, sections 296A.01, by adding a subdivision; 296A.07, subdivision 4; 296A.09, subdivisions 1, 3, 5, 6; 296A.15, subdivisions 1, 4; 296A.17, subdivisions 1, 2, 3; 296A.18, subdivisions 1, 8; 296A.19, subdivision 1; repealing Minnesota Rules, part 8125.1300, subpart 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1110, 983 and 269 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senators Nelson, Pappas, Dziejcz, Gazelka and Latz introduced—

S.F. No. 2103: A bill for an act relating to taxation; individual income; establishing a credit for certain home improvement expenses; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Dahle moved that the names of Senators Sparks, Stumpf and Jensen be added as co-authors to S.F. No. 2096. The motion prevailed.

Senator Eken moved that the names of Senators Skoe and Ingebrigtsen be added as co-authors to S.F. No. 2102. The motion prevailed.

Senator Dahle introduced –

Senate Resolution No. 139: A Senate resolution honoring the Cannon Valley Regional Orchestra.

Referred to the Committee on Rules and Administration.

Senator Rest moved that S.F. No. 269, on General Orders, be stricken and re-referred to the Committee on Taxes. The motion prevailed.

Senator Rest moved that S.F. No. 983, on General Orders, be stricken and re-referred to the Committee on Taxes. The motion prevailed.

Senator Rest moved that S.F. No. 1110, on General Orders, be stricken and re-referred to the Committee on Capital Investment. The motion prevailed.

RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

Senator Bakk imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Bakk from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 2056: A bill for an act relating to workers' compensation; adopting recommendations of the workers' compensation advisory council regarding inpatient hospital payments; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2014, section 176.136, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 176.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 2056 and that the report from the Committee on Jobs, Agriculture and Rural Development, shown in the Journal for April 16, 2015, be adopted; that committee recommendation being:

"the bill do pass and be re-referred to the Committee on State and Local Government". Report adopted.

Senator Bakk from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1398: A bill for an act relating to retirement; statewide and major local public retirement plans; eliminating various outdated or obsolete allowable service credit provisions; eliminating other outdated date references in pension provisions; clarifying or eliminating other ambiguous retirement provisions; correcting various pension-related headnotes; amending Minnesota Statutes 2014, sections 352.01, subdivisions 11, 15; 352.021, subdivisions 1, 3, 4; 352.029, subdivision 2; 352.22, subdivisions 8, 10; 352.23; 352.75, subdivision 2; 352.87, subdivision 8; 352B.011, subdivision 3; 352B.07; 352B.25; 353.01, subdivisions 2b, 6, 16, 17; 353.017, subdivision 2; 353.46, subdivision 2; 353.64, subdivisions 7a, 8, 9, 10; 353D.071, subdivision 2; 354.05, subdivisions 10, 13, 25; 354.07, subdivision 5; 354.092, subdivision 4; 354.42, subdivision 1a; 354.44, subdivisions 8, 9; 354.45, subdivision 1a; 354.48, subdivision 3; 354.51, subdivisions 1, 5; 354.52, subdivision 4c; 354.55, subdivision 10; 354A.011, subdivision 6; 354A.092; 354A.12, subdivision 3c; 354A.31, subdivision 7; 354A.42; 356.215, subdivisions 1, 18; 356.245; 356.40; 356.405; 356.407, subdivision 1; 356.415, subdivisions 1, 1a, 1d, 1e, 1f; 356.431; 356.62; 356B.10, subdivisions 2, 3, 4, 5, 6, 7; 423A.02, subdivision 1b; 424A.001, subdivision 10; repealing Minnesota Statutes 2014, sections 352.271; 352.75, subdivisions 1, 3, 4, 5, 6; 352.76; 352.91, subdivisions 3a, 3b; 352B.29; 353.83; 353.84; 353.85; 354.146, subdivisions 1, 3; 354.33, subdivisions 5, 6; 354.39; 354.55, subdivisions 13, 16, 17, 18, 19; 354.58; 354A.35, subdivision 2a; 356.42; 356.49, subdivision 2; 424A.03, subdivision 3.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 1398 and that the report from the Committee on State and Local Government, shown in the Journal for April 16, 2015, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Finance". Amendments adopted. Report adopted.

MOTIONS AND RESOLUTIONS - CONTINUED**SPECIAL ORDERS**

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. No. 2225, S.F. Nos. 495, 997, 1455, 1535, 1406, 1073 and 100.

SPECIAL ORDER

H.F. No. 2225: A bill for an act relating to agriculture; appropriating money for avian influenza emergency response activities.

Senator Westrom moved to amend H.F. No. 2225, the unofficial engrossment, as follows:

Page 1, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Bakk imposed a call of the Senate for the balance of the proceedings on H.F. No. 2225. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Westrom amendment.

The roll was called, and there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Pederson, J.	Thompson
Benson	Hall	Nelson	Petersen, B.	Weber
Brown	Hann	Newman	Pratt	Westrom
Chamberlain	Housley	Nienow	Rosen	
Dahms	Ingebrigtsen	Ortman	Ruud	
Fischbach	Kiffmeyer	Osmek	Senjem	

Those who voted in the negative were:

Bakk	Dziedzic	Johnson	Reinert	Sparks
Bonoff	Eaton	Kent	Rest	Stumpf
Carlson	Eken	Koenen	Saxhaug	Tomassoni
Champion	Franzen	Latz	Scalze	Torres Ray
Clausen	Hawj	Lourey	Schmit	Wiger
Cohen	Hayden	Marty	Sheran	Wiklund
Dahle	Hoffman	Metzen	Sieben	
Dibble	Jensen	Pappas	Skoe	

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

H.F. No. 2225 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Jensen	Ortman	Senjem
Bakk	Eken	Johnson	Osmek	Sheran
Benson	Fischbach	Kent	Pappas	Sieben
Bonoff	Franzen	Kiffmeyer	Pederson, J.	Skoe
Brown	Gazelka	Koenen	Petersen, B.	Sparks
Carlson	Goodwin	Latz	Pratt	Stumpf
Chamberlain	Hall	Limmer	Reinert	Thompson
Clausen	Hann	Lourey	Rest	Tomassoni
Cohen	Hawj	Marty	Rosen	Torres Ray
Dahle	Hayden	Metzen	Ruud	Weber
Dahms	Hoffman	Nelson	Saxhaug	Westrom
Dibble	Housley	Newman	Scalze	Wiger
Dziedzic	Ingebrigtsen	Nienow	Schmit	Wiklund

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 495: A bill for an act relating to health; requiring stroke transport protocols; amending Minnesota Statutes 2014, section 144E.16, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Johnson	Osmek	Sieben
Benson	Fischbach	Kent	Pappas	Skoe
Bonoff	Franzen	Kiffmeyer	Pederson, J.	Sparks
Brown	Gazelka	Koenen	Petersen, B.	Stumpf
Carlson	Goodwin	Latz	Pratt	Thompson
Chamberlain	Hall	Limmer	Reinert	Tomassoni
Champion	Hann	Lourey	Rest	Torres Ray
Clausen	Hawj	Marty	Rosen	Weber
Cohen	Hayden	Metzen	Ruud	Westrom
Dahms	Hoffman	Nelson	Saxhaug	Wiger
Dibble	Housley	Newman	Scalze	Wiklund
Dziedzic	Ingebrigtsen	Nienow	Senjem	
Eaton	Jensen	Ortman	Sheran	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 997: A bill for an act relating to insurance; long-term care; reducing the minimum permitted inflation protection for a long-term care insurance partnership policy; continuing to permit other types of inflation protection; amending Minnesota Statutes 2014, sections 62S.23, subdivision 1; 62S.24, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Benson	Brown	Chamberlain	Clausen
Bakk	Bonoff	Carlson	Champion	Cohen

Dahle	Hawj	Lourey	Reinert	Stumpf
Dahms	Hayden	Marty	Rest	Thompson
Dibble	Hoffman	Metzen	Rosen	Tomassoni
Dziedzic	Housley	Nelson	Ruud	Torres Ray
Eaton	Ingebrigtsen	Newman	Saxhaug	Weber
Eken	Jensen	Nienow	Scalze	Westrom
Fischbach	Johnson	Ortman	Schmit	Wiger
Franzen	Kent	Osmek	Senjem	Wiklund
Gazelka	Kiffmeyer	Pappas	Sheran	
Goodwin	Koenen	Pederson, J.	Sieben	
Hall	Latz	Petersen, B.	Skoe	
Hann	Limmer	Pratt	Sparks	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1455: A bill for an act relating to veterans; repealing commissioner of veterans affairs guardianship program; repealing Minnesota Statutes 2014, section 196.051.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Johnson	Pappas	Skoe
Bakk	Eken	Kent	Pederson, J.	Sparks
Benson	Fischbach	Kiffmeyer	Petersen, B.	Stumpf
Bonoff	Franzen	Koenen	Pratt	Thompson
Brown	Gazelka	Latz	Reinert	Tomassoni
Carlson	Goodwin	Limmer	Rest	Torres Ray
Chamberlain	Hall	Lourey	Rosen	Weber
Champion	Hann	Marty	Ruud	Westrom
Clausen	Hawj	Metzen	Saxhaug	Wiger
Cohen	Hayden	Nelson	Scalze	Wiklund
Dahle	Hoffman	Newman	Schmit	
Dahms	Housley	Nienow	Senjem	
Dibble	Ingebrigtsen	Ortman	Sheran	
Dziedzic	Jensen	Osmek	Sieben	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1535: A bill for an act relating to higher education; making various technical and policy changes to provisions related to higher education, including provisions related to grants, loans, registration, and various higher education programs; prohibiting certain institutions from limiting access to a student's transcript; modernizing, streamlining, and clarifying various statutes; eliminating unnecessary or redundant laws and rules; deleting obsolete language and unnecessary verbiage; amending Minnesota Statutes 2014, sections 16C.075; 136A.031, subdivision 4; 136A.0411; 136A.61; 136A.63, subdivision 2; 136A.65, subdivisions 4, 7; 136A.657, subdivisions 1, 3; 136A.67; 136A.87; 136G.05, subdivision 7; 141.21, subdivisions 5, 6a, 9; 141.25; 141.251, subdivision 2; 141.255; 141.26; 141.265; 141.271, subdivisions 1a, 1b, 3, 5, 7, 8, 9, 10, 12, 13, 14; 141.28; 141.29; 141.30; 141.32; 141.35; 197.75, subdivision 1; 261.23; repealing Minnesota Statutes 2014, sections 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 9b, 10, 10a, 11, 14; 136A.862;

141.271, subdivisions 4, 6; 158.01; 158.02; 158.03; 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10; 158.11; 158.12.

Senator Bonoff moved to amend S.F. No. 1535 as follows:

Page 1, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1535 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dziedzic	Ingebrigtsen	Nienow	Senjem
Bakk	Eaton	Jensen	Ortman	Sheran
Benson	Eken	Johnson	Osmek	Sieben
Bonoff	Fischbach	Kent	Pappas	Skoe
Brown	Franzen	Kiffmeyer	Pederson, J.	Sparks
Carlson	Gazelka	Koenen	Petersen, B.	Stumpf
Chamberlain	Goodwin	Latz	Pratt	Thompson
Champion	Hall	Limmer	Reinert	Tomassoni
Clausen	Hann	Lourey	Rest	Torres Ray
Cohen	Hawj	Marty	Ruud	Weber
Dahle	Hayden	Metzen	Saxhaug	Westrom
Dahms	Hoffman	Nelson	Scalze	Wiger
Dibble	Housley	Newman	Schmit	Wiklund

So the bill, as amended, was passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1406: A bill for an act relating to state lands; providing for public and private sales and conveyance of certain state land; amending Laws 2012, chapter 236, section 28, subdivision 6; Laws 2013, chapter 73, section 30.

Senator Gazelka moved to amend S.F. No. 1406 as follows:

Page 5, delete section 6 and insert:

"Sec. 6. **CONVEYANCE OF TAX-FORFEITED LAND; CITY OF PILLAGER, CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 282.01, subdivision 1a, and the public sale provisions of Minnesota Statutes, chapter 282, Cass County shall convey to the city of Pillager for no consideration the tax forfeited lands that are described in paragraph (c).

(b) The conveyance will occur on application from the city of Pillager. The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be conveyed are described as:

Parcels 93-352-0010; 93-352-0105; 93-352-0110; 93-352-0115; 93-352-0120; 93-352-0205; 93-352-0210; 93-352-0225; 93-352-0230; 93-352-0235; 93-352-0305; 93-352-0310; 93-352-0320; 93-352-0340; 93-352-0345; 93-352-0440; 93-352-0445; 93-352-0450; 93-352-0455; 93-352-0460; 93-352-0505; 93-352-0510; 93-352-0515; 93-352-0520; 93-352-0525; 93-352-0610; 93-352-0740; and 93-352-0745."

The motion prevailed. So the amendment was adopted.

Senator Jensen moved to amend S.F. No. 1406 as follows:

Page 15, after line 23, insert:

"Sec. 20. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; RICE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Rice County may convey to the city of Faribault for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Faribault stops using the land for the public purpose described in paragraph (d). The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Rice County and is described as: Block 1 of Auditor's Plat No. 1 of the Southwest Quarter of Section 32, Township 110 North, Range 20 West of the 5th Principal Meridian, city of Faribault (parcel number 18.32.3.03.047).

(d) The county has determined that the land is needed by the city of Faribault for a public park."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1406 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dziedzic	Ingebrigtsen	Nienow	Senjem
Bakk	Eaton	Jensen	Ortman	Sheran
Benson	Eken	Johnson	Osmek	Sieben
Bonoff	Fischbach	Kent	Pappas	Skoe
Brown	Franzen	Kiffmeyer	Pederson, J.	Sparks
Carlson	Gazelka	Koenen	Petersen, B.	Stumpf
Chamberlain	Goodwin	Latz	Pratt	Thompson
Champion	Hall	Limmer	Reinert	Tomassoni
Clausen	Hann	Lourey	Rest	Torres Ray
Cohen	Hawj	Marty	Ruud	Weber
Dahle	Hayden	Metzen	Saxhaug	Westrom
Dahms	Hoffman	Nelson	Scalze	Wiger
Dibble	Housley	Newman	Schmit	Wiklund

So the bill, as amended, was passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1073: A bill for an act relating to driving while impaired; addressing the applicability of certain affirmative defenses in DWI and CVO-related proceedings; clarifying the scope of the implied consent hearing; extending certain time periods to request reviews in DWI-related proceedings; requiring the disclosure of preliminary screening test results under certain circumstances in DWI proceedings; lowering the alcohol concentration standard for enhanced criminal penalties in the DWI law to match the existing standard for enhanced civil DWI sanctions; modifying the DWI plate impoundment law relating to how plates are impounded and reissued; providing that DWI offenders are not required to take a specified examination as a condition of driver's license reinstatement; prohibiting the application of the DWI Forfeiture Law to motor vehicles operated by persons who enter the ignition interlock program; providing that certain participants in the ignition interlock program do not have to obtain a limited driver's license as a condition of participating; requiring indigent ignition interlock program participants to submit a sworn statement regarding indigency and making submitting a false statement a crime; making ignition interlock crimes nonpayable offenses; requiring criminal vehicular homicide offenders to participate in the ignition interlock program; specifying which ignition interlock program participants must present a noncancelable insurance certificate as a prerequisite to participating in the program; allowing DWI offenders to pay their driver's license reinstatement fees and surcharges in installments; providing criminal penalties; amending Minnesota Statutes 2014, sections 97B.066, subdivisions 8, 9; 169A.03, subdivision 3; 169A.07; 169A.275, subdivision 5; 169A.285, subdivision 1; 169A.37, subdivision 1; 169A.41, by adding a subdivision; 169A.46; 169A.53, subdivisions 2, 3; 169A.55, subdivisions 2, 5; 169A.60, subdivisions 4, 5, 10, 13; 169A.63, by adding a subdivision; 171.09, subdivision 1; 171.29, subdivisions 1, 2; 171.30, subdivisions 1, 2a, 5; 171.306, subdivisions 1, 2, 4, 5, 6; 609.2111; repealing Minnesota Statutes 2014, sections 609.2112, subdivision 2; 609.2113, subdivision 4; 609.2114, subdivision 4.

Senator Latz moved to amend S.F. No. 1073 as follows:

Page 9, delete section 13 and insert:

"Sec. 13. Minnesota Statutes 2014, section 169A.55, subdivision 5, is amended to read:

Subd. 5. Reinstatement of driving privileges; certain criminal vehicular operation offenses. A person whose driver's license has been revoked under section 171.17, subdivision 1, paragraph (a), clause (1) (revocation, criminal vehicular operation), or suspended under section 171.187 (suspension, criminal vehicular operation), for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4), subdivision 2, clause (2), item (i) or (iii), (3), or (4), or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or section 609.2114, subdivision 2, clause (2), item (i) or (iii) (criminal vehicular operation, alcohol-related provisions); or Minnesota Statutes 2013, section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4) (criminal vehicular operation, alcohol-related provisions); resulting in bodily harm, substantial bodily harm, or great bodily harm, shall not be eligible for reinstatement of driving privileges until the person has submitted to the commissioner verification of the use of ignition interlock for the applicable time period specified in those sections. To be eligible for reinstatement under this subdivision, a person

shall utilize an ignition interlock device that meets the performance standards and certification requirements under subdivision 4, paragraph (c)."

Page 18, delete section 23 and insert:

"Sec. 23. Minnesota Statutes 2014, section 171.30, subdivision 2a, is amended to read:

Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license shall not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a first violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections; or

(2) one year, to a person whose license or privilege has been revoked or suspended for committing manslaughter resulting from the operation of a motor vehicle, committing criminal vehicular homicide or injury under section ~~609.21, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4),~~ 609.2112, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), 609.2113, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), subdivision 2, clause (1), (2), item (ii), (5), (6), (7), or (8), or subdivision 3, clause (1), (2), item (ii), (5), (6), (7), or (8), or 609.2114, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), or subdivision 2, clause (1), (2), item (ii), (5), (6), (7), or (8), or Minnesota Statutes 2013, section 609.21, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section ~~609.2112, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or 609.2114, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or Minnesota Statutes 2013, section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4),~~ or violating a statute or ordinance from another state in conformity with either of those offenses."

Page 19, delete section 24 and insert:

"Sec. 24. Minnesota Statutes 2014, section 171.30, subdivision 5, is amended to read:

Subd. 5. **Exception; criminal vehicular operation.** Notwithstanding subdivision 1, the commissioner may not issue a limited license to a person whose driver's license has been suspended or revoked due to a violation of ~~section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4), subdivision 2, clause (2), item (i) or (iii), (3), or (4), or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4); or Minnesota Statutes 2013, section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4);~~ resulting in bodily harm, substantial bodily harm, or great bodily harm."

Page 19, delete section 25 and insert:

"Sec. 25. Minnesota Statutes 2014, section 171.306, subdivision 1, is amended to read:

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

(b) "Ignition interlock device" or "device" means equipment that is designed to measure breath alcohol concentration and to prevent a motor vehicle's ignition from being started by a person whose breath alcohol concentration measures 0.02 or higher on the equipment.

(c) "Program participant" means a person who has qualified to take part in the ignition interlock program under this section, and whose driver's license has been:

(1) revoked, canceled, or denied under section 169A.52, 169A.54, or 171.04, subdivision 1, clause (10); or

(2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4); ~~or Minnesota Statutes 2013, section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4);~~ resulting in bodily harm, substantial bodily harm, or great bodily harm.

(d) "Qualified prior impaired driving incident" has the meaning given in section 169A.03, subdivision 22."

Page 20, delete section 27 and insert:

"Sec. 27. Minnesota Statutes 2014, section 171.306, subdivision 4, is amended to read:

Subd. 4. **Issuance of restricted license.** (a) The commissioner shall issue a class D driver's license, subject to the applicable limitations and restrictions of this section, to a program participant who meets the requirements of this section and the program guidelines. The commissioner shall not issue a license unless the program participant has provided satisfactory proof that:

(1) a certified ignition interlock device has been installed on the participant's motor vehicle at an installation service center designated by the device's manufacturer; and

(2) the participant has insurance coverage on the vehicle equipped with the ignition interlock device.

If the participant has previously been convicted of violating section 169.791, 169.793, or 169.797, or the participant's license has previously been suspended or canceled under section 169.792 or 169.797, the commissioner shall require the participant to present an insurance identification card, policy, or written statement as proof of insurance coverage, and may require the insurance identification card provided be that is certified by the insurance company to be noncancelable for a period not to exceed 12 months.

(b) A license issued under authority of this section must contain a restriction prohibiting the program participant from driving, operating, or being in physical control of any motor vehicle not equipped with a functioning ignition interlock device certified by the commissioner. A participant may drive an employer-owned vehicle not equipped with an interlock device while in the normal course and scope of employment duties pursuant to the program guidelines established by the commissioner and with the employer's written consent.

(c) A program participant whose driver's license has been: (1) revoked under section 169A.52, subdivision 3, paragraph (a), clause (1), (2), or (3), or subdivision 4, paragraph (a), clause (1), (2), or (3), or section 169A.54, subdivision 1, clause (1), (2), (3), or (4); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4); or Minnesota Statutes 2013, section 609.21,

subdivision 1, clause (2), item (i) or (iii), (3), or (4); resulting in bodily harm, substantial bodily harm, or great bodily harm, where the participant has fewer than two qualified prior impaired driving incidents within the past ten years or fewer than three qualified prior impaired driving incidents ever; may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction.

(d) A program participant whose driver's license has been: (1) revoked, canceled, or denied under section 169A.52, subdivision 3, paragraph (a), clause (4), (5), or (6), or subdivision 4, paragraph (a), clause (4), (5), or (6), or section 169A.54, subdivision 1, clause (5), (6), or (7); or (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (1), or suspended under section 171.187, for a violation of section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4); subdivision 2, clause (2), item (i) or (iii), (3), or (4); or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or 609.2114, subdivision 2, clause (2), item (i) or (iii), (3), or (4); or Minnesota Statutes 2013, section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4); resulting in bodily harm, substantial bodily harm, or great bodily harm, where the participant has two or more qualified prior impaired driving incidents within the past ten years or three or more qualified prior impaired driving incidents ever; may apply for a limited conditional reinstatement of the driver's license, subject to the ignition interlock restriction, if the program participant is enrolled in a licensed chemical dependency treatment or rehabilitation program as recommended in a chemical use assessment; and if the participant meets the other applicable requirements of section 171.30. After completing As a prerequisite to eligibility for eventual reinstatement of full driving privileges, a participant whose chemical use assessment recommended treatment or rehabilitation shall complete a licensed chemical dependency treatment or rehabilitation program and one year of limited license use without violating the ignition interlock restriction, the conditions of limited license use, or program guidelines, the participant may apply for conditional reinstatement of the driver's license, subject to the ignition interlock restriction. If the program participant's ignition interlock device subsequently registers a positive breath alcohol concentration of 0.02 or higher, the commissioner shall ~~cancel the driver's license, and the program participant may apply for another limited license according to this paragraph~~ extend the time period that the participant must participate in the program until the participant has reached the required abstinence period described in section 169A.55, subdivision 4.

(e) Notwithstanding any statute or rule to the contrary, the commissioner has authority to determine when a program participant is eligible for restoration of full driving privileges, except that the commissioner shall not reinstate full driving privileges until the program participant has met all applicable prerequisites for reinstatement under section 169A.55 and until the program participant's device has registered no positive breath alcohol concentrations of 0.02 or higher during the preceding 90 days."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1073 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson
Bakk

Benson
Bonoff

Carlson
Chamberlain

Champion
Clausen

Cohen
Dahle

Dahms	Hawj	Limmer	Pratt	Sparks
Dibble	Hayden	Lourey	Reinert	Stumpf
Dziedzic	Hoffman	Marty	Rest	Thompson
Eaton	Housley	Metzen	Ruud	Tomassoni
Eken	Ingebrigtsen	Nelson	Saxhaug	Torres Ray
Fischbach	Jensen	Newman	Scalze	Weber
Franzen	Johnson	Nienow	Schmit	Westrom
Gazelka	Kent	Ortman	Senjem	Wiger
Goodwin	Kiffmeyer	Osmek	Sheran	Wiklund
Hall	Koenen	Pappas	Sieben	
Hann	Latz	Pederson, J.	Skoe	

Those who voted in the negative were:

Petersen, B.

So the bill, as amended, was passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 100: A bill for an act relating to health; permitting the use of investigational drugs, biological products, or devices by certain eligible patients; proposing coding for new law in Minnesota Statutes, chapter 151.

Senator Petersen, B. moved to amend S.F. No. 100 as follows:

Page 2, after line 36, insert:

"Sec. 2. Minnesota Statutes 2014, section 256B.0625, is amended by adding a subdivision to read:

Subd. 64. **Investigational drugs, biological products, and devices.** Medical assistance and the early periodic screening, diagnosis, and treatment (EPSDT) program do not cover costs incidental to, associated with, or resulting from the use of investigational drugs, biological products, or devices as defined in section 151.375."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 100 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dibble	Hoffman	Metzen	Rest
Bakk	Dziedzic	Housley	Nelson	Saxhaug
Benson	Eken	Ingebrigtsen	Newman	Scalze
Bonoff	Fischbach	Jensen	Nienow	Schmit
Carlson	Franzen	Johnson	Ortman	Senjem
Chamberlain	Gazelka	Kent	Osmek	Sheran
Champion	Goodwin	Kiffmeyer	Pappas	Sieben
Clausen	Hall	Koenen	Pederson, J.	Skoe
Cohen	Hann	Latz	Petersen, B.	Sparks
Dahle	Hawj	Limmer	Pratt	Stumpf
Dahms	Hayden	Marty	Reinert	Thompson

Tomassoni

Torres Ray

Weber

Westrom

Wiger

Those who voted in the negative were:

Eaton

Lourey

Ruud

Wiklund

So the bill, as amended, was passed and its title was agreed to.

RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 2101: A bill for an act relating to state government; appropriating money for agriculture, environment, natural resources, jobs, and economic development; providing for animal health and agricultural utilization research; making policy and technical changes to various agricultural related provisions, including provisions related to pesticide control, plant protection, nursery law, seeds, and loans; modifying license exclusions for the direct sale of certain prepared food; establishing the Agriculture Research, Education, Extension, and Technology Transfer Board; establishing the Industrial Hemp Development Act; providing for incentive payments and grants; modifying disposition of certain revenue; providing for pilot programs; establishing the farm opportunity loan program; modifying fee provisions; creating accounts; modifying recreational vehicle provisions; modifying aquatic invasive species provisions; modifying state park and trail provisions; modifying timber and land sale provisions; modifying provisions for reclamation of lands; modifying game and fish laws; modifying the Water Law; regulating water quality standards; regulating chemicals of high concern in children's products; modifying solid waste provisions; making policy changes to labor and industry, employment and economic development, Iron Range resources, and the Bureau of Mediation Services; requiring studies and reports; requiring rulemaking; amending Minnesota Statutes 2014, sections 13.43, subdivision 6; 13.643, subdivision 1; 13.7411, subdivision 8; 16C.144, by adding subdivisions; 18B.01, subdivisions 28, 29; 18B.32, subdivision 1; 18B.33, subdivision 1; 18B.34, subdivision 1; 18G.10, subdivisions 3, 4; 18H.02, subdivision 20, by adding subdivisions; 18H.06, subdivision 2; 18J.01; 18J.02; 18J.03;

18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.09; 18J.11, subdivision 1, by adding a subdivision; 21.81, by adding subdivisions; 21.82, subdivisions 2, 4; 21.85, subdivision 2, by adding a subdivision; 21.89, subdivision 2; 41B.03, subdivision 6, by adding a subdivision; 41B.04, subdivision 17; 41B.043, subdivision 3; 41B.045, subdivisions 3, 4; 41B.046, subdivision 5; 41B.047, subdivisions 1, 4; 41B.048, subdivision 6; 41B.049, subdivision 4; 41B.055, subdivision 3; 41B.056, subdivision 2; 41B.06; 60D.215, subdivision 2; 72B.092, subdivision 1; 80A.84; 84.415, subdivision 7; 84.82, subdivisions 2a, 6; 84.92, subdivisions 8, 9, 10; 84D.01, by adding a subdivision; 84D.13, subdivision 5; 84D.15, subdivision 3; 85.015, by adding a subdivision; 85.055, subdivision 1; 85.32, subdivision 1; 86B.401, subdivision 3; 87A.10; 88.6435, subdivision 4; 90.14; 90.193; 92.45; 93.47, subdivision 3; 93.50; 97A.055, subdivision 4b; 97B.301, by adding a subdivision; 97C.301, by adding a subdivision; 103B.101, by adding a subdivision; 103B.3355; 103F.612, subdivision 2; 103G.005, by adding a subdivision; 103G.222, subdivisions 1, 3; 103G.2242, subdivisions 1, 2, 3, 4, 9, 12, 14, 15; 103G.2251; 115A.1415, subdivision 16; 115A.557, subdivision 2; 115C.09, subdivision 1; 116.07, subdivision 4d; 116.9401; 116.9402; 116.9403; 116.9405; 116.9406; 116J.394; 116J.395, subdivision 6; 116J.8738, subdivision 3, by adding a subdivision; 116L.05, subdivision 5; 116L.17, subdivision 4; 123B.53, subdivision 1; 179A.041, by adding subdivisions; 216B.1694, subdivision 3; 268.035, subdivisions 6, 21b, 26, 30; 268.051, subdivision 7; 268.07, subdivisions 2, 3b; 268.085, subdivisions 1, 2; 268.095, subdivisions 1, 10; 268.105, subdivisions 3, 7; 268.136, subdivision 1; 268.194, subdivision 1; 298.018, subdivision 1; 298.22, subdivisions 1, 3, 4, 5, 6, 10, 11; 298.221; 298.2211, subdivision 3; 298.222; 298.223; 298.225, subdivision 2; 298.227; 298.28, subdivisions 4, 9a, 9d, 11, 15; 298.292, subdivision 2; 298.293; 298.2961, subdivision 3; 326B.092, subdivision 7; 326B.096; 326B.106, subdivision 1, by adding a subdivision; 326B.13, subdivision 8; 326B.986, subdivisions 5, 8; 332.31, subdivisions 3, 6; 341.321; 375.30, subdivision 2; Laws 2014, chapter 308, article 6, section 14, subdivision 5; Laws 2014, chapter 312, article 2, section 14; proposing coding for new law in Minnesota Statutes, chapters 13; 17; 28A; 41A; 41B; 80A; 84; 84D; 103B; 103F; 116; 116J; 116L; 179; 268A; proposing coding for new law as Minnesota Statutes, chapter 18K; repealing Minnesota Statutes 2014, sections 17.115; 28A.15, subdivisions 9, 10; 41A.12, subdivision 4; 84.68; 86B.13, subdivisions 2, 4; 298.298; Laws 2010, chapter 215, article 3, section 3, subdivision 6, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 13, line 7, delete "\$8,000,000" and insert "\$8,500,000" and delete "\$8,000,000" and insert "\$8,500,000"

Page 13, line 14, delete "and"

Page 13, line 18, delete the period and insert "; and"

Page 13, after line 18, insert:

"(3) at least \$500,000 each year is for farm business management under Minnesota Statutes, section 41A.18, subdivision 1, clause (3)."

Page 13, line 23, after the period, insert "The base amount for this program in fiscal year 2018 and thereafter is \$3,500,000."

Page 14, delete section 5

Page 24, delete section 32

Page 40, line 7, after "agricultural" insert "sustainability and"

Page 50, line 1, delete "74,130" and insert "74,130,000" and delete "74,548" and insert "74,548,000"

Page 55, line 3, delete "\$868,000" and insert "\$743,000" and after "year" insert "is transferred"

Page 55, line 4, delete "is for" and insert "to"

Page 55, line 5, delete "deposit in"

Page 55, lines 12 and 17, delete "appropriation" and insert "transfer"

Page 55, line 23, delete "does not cancel" and insert "is available until June 30, 2019"

Page 55, line 30, delete "\$17,820,000" and insert "\$17,250,000" and delete "\$17,943,000" and insert "\$17,250,000"

Page 56, after line 12, insert:

"\$400,000 the second year is to enhance awareness of and reduce priority chemicals in consumer products. Of this amount, \$90,000 the second year is for transfer to the Department of Commerce and \$90,000 the second year is for transfer to the Department of Health. This is a onetime appropriation. The agency base for fiscal year 2018 shall include \$826,000 for this purpose."

Page 56, line 18, delete "\$562,000" and insert "\$565,000" and delete "\$562,000" and insert "\$569,000"

Page 56, line 33, delete "\$500,000" and insert "\$502,000" and delete "\$500,000" and insert "\$503,000"

Page 57, line 28, after the period, insert "\$2,500,000 of the amount transferred under this subdivision is appropriated in the first year from the remediation fund to the commissioner for a grant to the city of Paynesville to add an air stripping treatment process to a water treatment plant for removal of volatile organic compounds."

Page 57, line 30, delete "July 1" and insert "June 30"

Page 59, after line 23, insert:

"Prior to June 30, 2015, the commissioner shall offer to renegotiate mineral royalty rates under Minnesota Statutes, section 93.20. In renegotiating the royalty rates, the commissioner shall consider the long-term effect of the royalty rates on the beneficiary funds, including the effect of the royalty rates

on the long-term health of the mining industry in Minnesota. This paragraph is effective the day following final enactment."

Page 62, line 18, delete "does not cancel" and insert "is available until June 30, 2019"

Page 62, line 19, delete "41,211,000" and insert "40,711,000" and delete "40,360,000" and insert "39,860,000"

Page 62, line 22, delete "28,801,000" and insert "28,301,000" and delete "27,950,000" and insert "27,450,000"

Page 63, line 33, delete "\$1,255,000" and insert "\$1,000,000"

Page 64, after line 12, insert:

"The general fund base budget for forest management in fiscal year 2018 and thereafter is \$27,450,000."

Page 66, line 26, delete "does not"

Page 66, line 27, delete "cancel" and insert "is available until June 30, 2019"

Page 66, line 32, delete "does not cancel" and insert "is available until June 30, 2019"

Page 67, delete lines 8 to 21

Page 73, line 25, delete "expended" and insert "June 30, 2019"

Page 74, after line 34, insert:

"Sec. 9. **REPAYMENT; TRANSFER**

The commissioner of management and budget shall transfer \$14,000,000 in fiscal year 2018 and \$14,000,000 in fiscal year 2019 from the general fund to the closed landfill investment fund created in Minnesota Statutes, section 115B.421."

Page 78, after line 10, insert:

"Sec. 9. Minnesota Statutes 2014, section 84.922, subdivision 5, is amended to read:

Subd. 5. **Fees for registration.** (a) The fee for a three-year registration of an all-terrain vehicle under this section, other than those registered by a dealer or manufacturer under paragraph (b) or (c), is:

(1) for public use, \$45 for class 1 all-terrain vehicles and \$48 for class 2 all-terrain vehicles;

(2) for private use, \$6; and

(3) for a duplicate or transfer, \$4.

(b) The total registration fee for all-terrain vehicles owned by a dealer and operated for demonstration or testing purposes is \$50 per year. Dealer registrations are not transferable.

(c) The total registration fee for all-terrain vehicles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes is \$150 per year. Manufacturer registrations are not transferable.

(d) The onetime fee for registration of an all-terrain vehicle under subdivision 2b is \$6.

(e) The fees collected under this subdivision must be credited to the all-terrain vehicle account."

Page 83, delete section 21

Page 84, delete section 22 and insert:

"Sec. 22. Minnesota Statutes 2014, section 93.20, subdivision 18, is amended to read:

Subd. 18. **Schedule 7.** Schedule 7. Taconite ore shall be understood to mean a ferruginous chert or ferruginous slate in the form of compact siliceous rock, in which the iron oxide is so finely disseminated that substantially all of the iron-bearing particles of merchantable grade are smaller than 20 mesh.

Taconite concentrates shall be understood to mean the merchantable product, suitable for blast furnace use, which, in accordance with good engineering and metallurgical practice, has been produced from taconite ore which requires treatment by fine grinding, magnetic separation, flotation, or some other method or methods other than or in addition to one or more of the methods specified in schedules 1 to 6, inclusive.

On a ton of taconite concentrates averaging in dried iron 40.49 percent or less, the royalty shall be no less than 11 cents. The royalty rate shall be increased one percent for each increase of one percent, or fraction thereof, in dried iron analysis.

In lieu of payment of such royalty on the taconite concentrates, royalty payments may be made on the taconite ore as set forth in section 93.201.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to both existing and new leases entered into under this section."

Page 85, delete section 23

Page 92, line 18, strike "by restoration"

Page 92, line 19, strike "or creation of wetland areas"

Page 96, after line 17, insert:

"(b) Notwithstanding paragraph (a), wetland banking credits approved according to a complete wetland banking application submitted to a local government unit by April 1, 1996, may be used to replace wetland impacts resulting from public transportation projects statewide."

Page 96, line 18, delete "(b)" and insert "(c)"

Page 96, line 21, strike "(c)" and insert "(d)"

Page 96, line 24, strike "(d)" and insert "(e)"

Page 97, line 3, reinstate the stricken "(f)" and delete "(e)"

Page 97, line 6, delete "(f)" and insert "(g)"

Page 99, delete section 39

Page 101, line 24, delete the second comma and insert "and"

Page 101, line 25, delete ", and habitat corridors"

Page 102, line 29, delete "habitat corridors,"

Page 115, delete section 58

Page 116, delete section 61

Page 117, delete section 63

Page 119, line 26, delete "expended" and insert "June 30, 2019"

Page 120, lines 7 and 22, delete "expended" and insert "June 30, 2019"

Page 121, lines 11, 16, 23, and 30, delete "expended" and insert "June 30, 2019"

Page 122, line 2, delete "expended" and insert "June 30, 2019"

Page 123, line 16, delete "expended" and insert "June 30, 2019"

Page 124, line 22, delete "expended" and insert "June 30, 2019"

Page 124, after line 29, insert:

"(o) \$255,000 the first year for grants to the Neighborhood Development Center for the small business incubator program. Of this amount, \$155,000 is for capital improvements to existing small business incubators, and \$100,000 is for the creation and operation of a small business incubator revolving fund to assist in the acquisition and development of property for additional small business incubators. This is a onetime appropriation.

"(p) \$35,000 the first year is for an economic development grant for the city of Delano."

Page 125, line 19, before the period, insert ", to provide employment and career counseling to youth, including career guidance in secondary schools, to address the youth career counseling deficiency, to carry out activities outlined in Minnesota Statutes, section 116L.561, to provide support services, and to provide work experience to youth in the workforce service areas. The funds in this paragraph may be used for expansion of the pilot program combining career and higher education advising in Laws 2013, chapter 85, article 3, section 27. Activities in workforce services areas under this paragraph may serve all youth up to age 24"

Page 126, line 20, delete everything after the period

Page 126, delete lines 21 to 24

Page 127, line 34, delete everything after the period

Page 127, delete line 35

Page 128, delete lines 1 to 30

Page 128, line 31, delete everything before "The"

Page 128, line 35, delete "January 15, 2016" and insert "December 15, 2015"

Page 130, line 3, delete "expended" and insert "June 30, 2019"

Page 131, line 20, delete "\$600,000" and insert "\$675,000"

Page 131, line 25, after the period, insert "If the amount in the first year is insufficient, the amount in the second year is available in the first year."

Page 132, after line 18, insert:

"\$50,000 the first year and \$50,000 the second year must be used to provide services for senior citizens who are becoming blind. At least half of these amounts must be used to provide training services for seniors who are becoming blind and must be administered at an Adjustment to Blindness Center in the state. The training services must provide independent living skills to seniors who are becoming blind to allow them to continue to live independently in their homes."

Page 133, line 34, delete "expended" and insert "June 30, 2019"

Page 135, after line 15, insert:

"(c) The base amount for this program in fiscal year 2018 and thereafter is \$12,925,000."

Page 136, after line 16, insert:

"Of this amount, \$500,000 the first year is for a onetime appropriation for a grant to Better Futures Minnesota for temporary housing and rental assistance for adults who have been released from state correctional facilities or on supervised release in the community who are homeless or at risk of becoming homeless."

Page 136, line 16, after the period, insert "The base amount for this program in fiscal year 2018 and thereafter is \$8,519,000."

Page 138, line 15, after the period, insert "The base amount for the rehabilitation of the owner-occupied housing program in fiscal year 2018 and thereafter is \$2,772,000."

Page 139, delete line 35

Page 146, after line 27, insert:

"(c) \$300,000 each year is for investigation and enforcement of insurance fraud under Minnesota Statutes, section 45.0135, subdivision 9.

(d) \$91,000 in the first year is for activities of the task force on no-fault auto insurance issues. This is a onetime appropriation."

Page 147, line 7, delete "\$....." and insert "\$6,000,000"

Page 155, line 1, delete everything after "or"

Page 155, line 2, delete everything before the second "to"

Page 171, line 5, delete everything after "mechanisms"

Page 171, line 6, delete everything before "that"

Page 171, delete section 27

Page 176, after line 20, insert:

"Sec. 3. Minnesota Statutes 2014, section 45.0135, is amended by adding a subdivision to read:

Subd. 9. **Administrative penalty for insurance fraud.** (a) The commissioner may, upon recommendation of the Commerce Fraud Bureau:

(1) impose an administrative penalty against any person in an amount as set forth in paragraph (b) for each intentional act of insurance fraud committed by that person; and

(2) order restitution to any person suffering loss as a result of the insurance fraud.

(b) The administrative penalty for each violation described in paragraph (a) may be no more than:

(1) \$20,000 if the funds or the value of the property or services wrongfully obtained exceeds \$5,000;

(2) \$10,000 if the funds or value of the property or services wrongfully obtained exceeds \$1,000 but not more than \$5,000;

(3) \$3,000 if the funds or value of the property or services wrongfully obtained is more than \$500, but not more than \$1,000; and

(4) \$1,000 if the funds or value of the property or services wrongfully obtained is less than \$500.

(c) If an administrative penalty is not paid after all rights of appeal have been waived or exhausted, the commissioner may bring a civil action in a court of competent jurisdiction to collect

the administrative penalty, including expenses and litigation costs, reasonable attorney fees, and interest.

(d) This section does not affect a person's right to seek recovery against any person that commits insurance fraud.

(e) For purposes of this subdivision, "insurance fraud" has the meaning given in section 60A.951, subdivision 4.

(f) Hearings under this subdivision must be conducted in accordance with chapter 14 and any other applicable law.

EFFECTIVE DATE. This section is effective the day following final enactment, and apply with respect to acts committed on or after that date."

Page 176, after line 30, insert:

"Sec. 5. **[65B.1325] RIGHT TO CONSULT WITH COUNSEL.**

An insurer may not settle a claim within 30 days of an accident from which the claim arises unless the insurer gives the claimant written disclosure that the claimant has the legal right to consult with an attorney in evaluating the settlement and the claimant separately and specifically acknowledges the disclosure in writing.

EFFECTIVE DATE. This section is effective the day following final enactment, and apply with respect to acts committed on or after that date.

Sec. 6. Minnesota Statutes 2014, section 65B.44, is amended by adding a subdivision to read:

Subd. 2a. **Person convicted of insurance fraud.** (a) A person convicted of insurance fraud under section 609.611 in a case related to this chapter or of employment of runners under section 609.612 may not enforce a contract for payment of services eligible for reimbursement under subdivision 2, against an insured or reparation obligor.

(b) After a period of five years from the date of conviction, a person described in paragraph (a) may apply to district court to extinguish the collateral sanction set forth in paragraph (a), which the court may grant in its reasonable discretion.

EFFECTIVE DATE. This section is effective the day following final enactment, and apply with respect to acts committed on or after that date."

Page 191, after line 19, insert:

"Sec. 9. Minnesota Statutes 2014, section 216B.62, subdivision 3b, is amended to read:

Subd. 3b. **Assessment for department regional and national duties.** In addition to other assessments in subdivision 3, the department may assess up to \$1,000,000 per fiscal year for performing its duties under section 216A.07, subdivision 3a. The amount in this subdivision shall be assessed to energy utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year and shall be deposited into an account in the special revenue fund and is appropriated to the commissioner of commerce for the purposes of section 216A.07, subdivision 3a. An assessment made under this subdivision is not subject to the cap on assessments provided in subdivision 3 or any other law. For the purpose of this subdivision, an "energy utility" means public utilities, generation and transmission cooperative

electric associations, and municipal power agencies providing natural gas or electric service in the state. ~~This subdivision expires June 30, 2015.~~"

Page 194, delete section 14

Page 195, after line 36, insert:

"Sec. 17. **TASK FORCE ON NO-FAULT AUTO INSURANCE ISSUES.**

Subdivision 1. **Establishment.** The task force on no-fault auto insurance is established to review certain issues related to no-fault automobile insurance reform.

Subd. 2. **Membership; meetings; staff.** (a) The task force shall be composed of the following 19 members, who must be appointed by July 1, 2015, and who serve at the pleasure of their appointing authorities:

- (1) the commissioner of commerce or a designee;
 - (2) two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader;
 - (3) two members of the senate, one appointed by the Subcommittee on Committees of the Committee on Rules and Administration and one appointed by the minority leader;
 - (4) a person appointed by the Minnesota Chiropractic Association;
 - (5) a person appointed by the Insurance Federation of Minnesota;
 - (6) a person appointed by the Insurance Federation of Minnesota who is not a member of the Federation;
 - (7) a person appointed by the Minnesota Association for Justice;
 - (8) a person appointed by the Minnesota Medical Association;
 - (9) a person appointed by the Minnesota Glass Association;
 - (10) a person appointed by the Minnesota Hospital Association;
 - (11) a person appointed by the Minnesota Ambulance Association;
 - (12) a person appointed by the Minnesota Physical Therapy Association;
 - (13) a person appointed by the Academy of Emergency Physicians-Minnesota Chapter;
 - (14) a person appointed by the Medical Group Management Association of Minnesota;
 - (15) a representative of a medical consulting company specializing in the delivery of independent medical examinations, appointed by the commissioner;
 - (16) a person appointed by the Minnesota Defense Lawyers Association; and
 - (17) a person appointed by the Minnesota Ambulatory Surgery Center Association.
- (b) Compensation and expense reimbursement must be as provided under Minnesota Statutes, section 15.059, subdivision 3, to members of the task force.

(c) The commissioner of commerce shall convene the task force by August 1, 2015, and shall appoint a chair from the membership of the task force. Staffing and technical assistance must be provided by the Department of Commerce.

Subd. 3. **Duties.** The task force shall review and evaluate the following issues related to no-fault automobile insurance reform:

- (1) no-fault arbitration process;
- (2) independent medical exam process;
- (3) treatment standards and fee schedules; and
- (4) no-fault health provider oversight.

Subd. 4. **Report.** By February 1, 2016, the task force must submit to the chairs and ranking minority members of the house of representatives and senate committees and divisions with primary jurisdiction over commerce and transportation its written recommendations, including any draft legislation necessary to implement the recommendations.

Subd. 5. **Expiration.** The task force expires the day after submitting the report under subdivision 4, or February 2, 2016, whichever is earlier.

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

Page 215, line 14, delete "July 1, 2015" and insert "the day following final enactment"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. No. 2101 was read the second time.

MEMBERS EXCUSED

Senator Miller was excused from the Session of today. Senator Goodwin was excused from the Session of today from 2:20 to 2:25 p.m. Senators Dahle and Schmit were excused from the Session of today from 2:30 to 2:40 p.m. Senator Rosen was excused from the Session of today at 2:50 p.m. Senator Brown was excused from the Session of today at 2:55 p.m.

43RD DAY]

TUESDAY, APRIL 21, 2015

2103

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 22, 2015. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

