

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-NINTH LEGISLATURE

NINETIETH DAY

St. Paul, Minnesota, Thursday, April 28, 2016

The Senate met at 8:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Cohen 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. Rachel McIver Morey.

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:

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 3931.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 27, 2016

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 3931: A bill for an act relating to state government; appropriating money for certain agriculture-related purposes; modifying various agriculture-related provisions; making clarifying, technical, and policy changes; providing a tractor rollover pilot grant program; establishing an agricultural emergency account; appropriating money for environment and natural resources; modifying prior appropriations; modifying provisions to harvest wild rice; establishing requirements for marine carbon monoxide detection devices; modifying terms of certain committees, funds, and accounts; providing for prescribed burns; modifying provisions for certain land sales and exchanges; creating Aggregate Resources Task Force; providing appointments; providing for certain water level control permit; appropriating money for jobs, economic development, and energy affordability; appropriating money to the Departments of Employment and Economic Development, Labor and Industry, and Commerce, the Housing Finance Agency, Public Utilities Commission, Public Facilities Authority, Explore Minnesota Tourism, Bureau of Mediation Services, and Public Employment Relations Board; making policy changes to jobs and economic development, labor and industry, housing, workers' compensation, unemployment insurance, telephone regulation, broadband development, and energy; requiring reports; amending Minnesota Statutes 2014, sections 3.736, subdivision 4; 17.117, subdivisions 4, 11a; 17.4982, subdivision 18a; 18B.26, subdivision 3; 41A.12, subdivision 2; 84.027, subdivision 13; 84.089, subdivision 3; 84.091, subdivision 2; 84D.01, subdivision 2; 84D.05, subdivision 1; 84D.09, subdivision 2; 84D.10, subdivision 4; 84D.108, by adding a subdivision; 84D.13, subdivision 4; 86B.005, by adding subdivisions; 88.01, by adding a subdivision; 88.22, subdivision 1; 93.0015, subdivision 3; 93.2236; 94.3495, subdivisions 2, 3, 7; 97A.075, subdivisions 1, 7; 115C.09, subdivisions 1, 3; 116C.779, subdivision 1, by adding a subdivision; 116J.395, subdivisions 4, 6, 7, by adding subdivisions; 116J.548, subdivisions 2, 3; 116J.8737, subdivision 3; 116J.8747, subdivisions 1, 2; 116M.15, subdivision 1; 176.011, subdivision 7a; 176.081, subdivisions 1, 3; 176.137, subdivisions 1, 4, by adding a subdivision; 176.331; 176.361, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 176.471, subdivisions 3, 5; 176.511, subdivisions 2, 3; 176.571, subdivision 1; 182.653, subdivision 9; 216A.03, subdivision 1, by adding a subdivision; 216B.1641; 216B.241, subdivisions 1, 1a, 1c; 216B.243, subdivision 8; 216C.20, subdivision 3; 216E.03, subdivision 5; 216H.01, by adding a subdivision; 216H.03, subdivision 1; 222.37, subdivision 1; 237.01, by adding subdivisions; 237.012, subdivisions 1, 2; 268.035, subdivisions 12, 20, 23a, 29, by adding subdivisions; 268.051, subdivision 5; 268.085, subdivisions 4, 5; 268.0865, subdivisions 3, 4; 268.095, subdivisions 1, 2, 5; 268.101, subdivision 2; 268.18; 268.182, subdivision 2; 383B.142; 462A.204, subdivisions 1, 3; Minnesota Statutes 2015 Supplement, sections 16A.967, subdivisions 2, 7; 41A.14; 41A.15, subdivisions 2, 10, by adding subdivisions; 41A.16, subdivision 1; 41A.17, subdivisions 1, 2; 41A.18, subdivision 1; 84.027, subdivision 13a; 84D.11, subdivision 1; 84D.13, subdivision 5; 116D.04, subdivision 2a; 116J.394; 176.135, subdivision 7a; 176.136, subdivision 1b; 268.07, subdivision 3b; 268.085, subdivision 2; Laws 2001, chapter 130, section 3; Laws 2015, First Special Session chapter 1, article 1, sections 2, subdivision 3; 3, subdivision 3; 8, subdivision 8; Laws 2015, First Special Session chapter 4, article 1, sections 2, subdivisions 2, 4; 5; article 3, section 3, subdivision 2; article 4, section 131; proposing coding for new law in Minnesota Statutes, chapters 17; 84D; 86B; 116J; 216E; 237; 383B; repealing Minnesota Statutes 2014, sections 116P.13; 116U.26; 179A.50; 179A.51; 179A.52; 179A.53.

Senator Bakk moved that H.F. No. 3931 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 3589. The motion prevailed.

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 3589: A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing driver's licenses and Minnesota identification cards; amending certain fees; requiring legislative reporting; requiring rulemaking; appropriating money; amending Minnesota Statutes 2014, sections 171.017, subdivisions 1, 2; 171.06, subdivisions 1, 3, by adding a subdivision; 171.07, subdivisions 1, 3, 4, 9a; 171.072; 171.12, by adding subdivisions; 171.27; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Laws 2009, chapter 92, section 1, as amended.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 97A.405, subdivision 2, is amended to read:

Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from an area where a licensed activity was performed must have in personal possession either: (1) the proper license, if the license has been issued to and received by the person; (2) a driver's license or Minnesota identification card that bears a valid designation of the proper lifetime license, as provided under section 171.07, subdivision 19; or ~~(2)~~ (3) the proper license identification number or stamp validation, if the license has been sold to the person by electronic means but the actual license has not been issued and received.

(b) If possession of a license or a license identification number is required, a person must exhibit, as requested by a conservation officer or peace officer, either: (1) the proper license if the license has been issued to and received by the person; (2) a driver's license or Minnesota identification card that bears a valid designation of the proper lifetime license, as provided under section 171.07, subdivision 19; or ~~(2)~~ (3) the proper license identification number or stamp validation and a valid state driver's license, state identification card, or other form of identification provided by the commissioner, if the license has been sold to the person by electronic means but the actual license has not been issued and received. A person charged with violating the license possession requirement shall not be convicted if the person produces in court or the office of the arresting officer, the actual license previously issued to that person, which was valid at the time of arrest, or satisfactory proof that at the time of the arrest the person was validly licensed. Upon request of a conservation officer or peace officer, a licensee shall write the licensee's name in the presence of the officer to determine the identity of the licensee.

(c) Except as provided in paragraph (a), clause (2), if the actual license has been issued and received, a receipt for license fees, a copy of a license, or evidence showing the issuance of a license, including the license identification number or stamp validation, does not entitle a licensee to exercise the rights or privileges conferred by a license.

(d) A license issued electronically and not immediately provided to the licensee shall be mailed to the licensee within 30 days of purchase of the license. A pictorial migratory waterfowl, pheasant, trout and salmon, or walleye stamp shall be provided to the licensee after purchase of a stamp validation only if the licensee pays an additional fee that covers the costs of producing and mailing a pictorial stamp. A pictorial turkey stamp may be purchased for a fee that covers the costs of producing and mailing the pictorial stamp. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees for providing the pictorial stamps. The fees must be set in an amount that does not recover significantly more or less than the cost of producing and mailing the stamps. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

EFFECTIVE DATE. This section is effective January 1, 2018, or on the date the Department of Public Safety implements the Minnesota Licensing and Registration System (MNLARS), whichever occurs first.

Sec. 2. Minnesota Statutes 2014, section 171.01, is amended by adding a subdivision to read:

Subd. 1a. Acceptable for federal identification. "Acceptable for federal identification," used in reference to a driver's license or Minnesota identification card, means in compliance with the requirements of the Real ID Act of 2005, Public Law 109-13, and acceptable for accessing federal facilities, boarding federally regulated commercial aircraft, and entering nuclear power plants.

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

Sec. 3. Minnesota Statutes 2014, section 171.01, subdivision 37, is amended to read:

Subd. 37. License. "License" means any operator's license or any other license or permit to operate a motor vehicle issued or issuable under the laws of this state by the commissioner of public safety, irrespective of whether the license is acceptable for federal identification, including:

- (1) any temporary license, instruction permit, or provisional license;
- (2) the privilege of any person to drive a motor vehicle whether or not the person holds a valid license; and
- (3) any nonresident's operating privilege.

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

Sec. 4. Minnesota Statutes 2014, section 171.017, is amended to read:

171.017 BACKGROUND INVESTIGATIONS; DRIVER'S LICENSE AGENTS AND DEPARTMENT EMPLOYEES.

Subdivision 1. Background checks authorized. The commissioner shall investigate the criminal history background of any driver's license agent and any current or prospective employees of the department or driver's license agency being considered for any position with the department or agency that has or will have:

- (1) the ability to create or modify records of applicants for identification cards and drivers' licenses, including enhanced drivers' licenses under section 171.01, subdivision 31a, or and enhanced identification cards under section 171.01, subdivision 31b;

(2) the ability to issue enhanced drivers' licenses ~~under section 171.01, subdivision 31a~~, or enhanced identification cards ~~under section 171.01, subdivision 31b~~; or

(3) the ability to administer knowledge or skills tests under section 171.13 to an applicant for a commercial driver's license.

Subd. 2. **Procedure.** (a) The commissioner must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals specified in subdivision 1. A request under this section must be accompanied by an executed criminal history consent form, including fingerprints, signed by the agent or the current or prospective employee being investigated.

(b) After receiving a request under paragraph (a), the superintendent of the Bureau of Criminal Apprehension shall perform the background check required under subdivision 1. The superintendent shall retrieve criminal history data as defined in section 13.87, conduct a search of the national criminal records repository, and provide wants and warrant information from federal and state repositories. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall return the results of the background checks to the commissioner to determine whether:

(1) the agent, employee, or applicant for employment specified in subdivision 1, clause (1) or (2), has committed a disqualifying crime under Code of Federal Regulations, title 49, section 1572.103; or

(2) the employee or applicant for employment specified in subdivision 1, clause (3), has a conviction of the type specified by Code of Federal Regulations, title 49, section 384.228(j).

(c) The superintendent shall recover the cost to the bureau of a background check through a fee charged to the commissioner.

Subd. 3. **Notification by other criminal justice agencies.** Criminal justice agencies, as defined by section 13.02, subdivision 3a, shall provide the commissioner with information they possess and that the commissioner requires for the purposes of determining the employment suitability of current or prospective employees subject to this section.

Subd. 4. **Annual background checks in certain instances.** Consistent with Code of Federal Regulations, title 49, section 384.228, the commissioner shall request and the superintendent shall conduct annual background checks for the department employees specified in subdivision 1, clause (3). Annual background checks under this subdivision shall be performed in a manner consistent with subdivisions 2 and 3.

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

Sec. 5. Minnesota Statutes 2014, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant certifies that the applicant ~~does not~~ is not eligible to have a Social Security number;

(4) in the case of an application for a driver's license that is acceptable for federal identification, include a space for a declaration that information on the application is true and correct, together with information and documentation required by the commissioner;

(5) in the case of an application for an enhanced driver's license or enhanced identification card, present:

(i) proof satisfactory to the commissioner of the applicant's full legal name, United States citizenship, identity, date of birth, Social Security number, and residence address; and

(ii) a photographic identity document;

~~(5)~~ (6) contain a space where the applicant may indicate a desire to make an anatomical gift according to paragraph (b);

~~(6)~~ (7) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and

~~(7)~~ (8) contain a space where the applicant may request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a.

(b) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

(c) The application must be accompanied also by information containing relevant facts relating to:

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

(3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

EFFECTIVE DATE. This section is effective January 1, 2018, and applies to applications submitted on and after that date.

Sec. 6. Minnesota Statutes 2014, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear a distinguishing number assigned to the licensee; the licensee's full name and date of birth; either (1) the licensee's residence address, or (2) the designated address under section 5B.05; a description of the licensee in a manner as the commissioner deems necessary; and the usual signature of the licensee. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the license, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Every license issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) The department shall use processes in issuing a license that prohibit, as nearly as possible, the ability to alter or reproduce a license, or prohibit the ability to superimpose a photograph or electronically produced image on a license, without ready detection.

(e) A license issued to an applicant age 65 or over must be plainly marked "senior" if requested by the applicant.

(f) A license that is acceptable for federal identification must bear a distinguishing indicator, as required by the commissioner.

(g) A license that is not acceptable for federal identification must be marked "not for federal identification" on the face of the license and in the machine-readable zone and must have a unique design or color indicator, as required by the commissioner.

(h) A license that is acceptable for federal identification and is issued to a person with temporary lawful status in the United States must be marked "temporary" on the face of the license and in the machine-readable zone, as required by the commissioner.

EFFECTIVE DATE. This section is effective January 1, 2018, and applies to licenses issued based on applications submitted on and after that date.

Sec. 7. Minnesota Statutes 2014, section 171.07, is amended by adding a subdivision to read:

Subd. 3b. **Identification card markings.** (a) A Minnesota identification card that is acceptable for federal identification must bear a distinguishing indicator, as required by the commissioner.

(b) A Minnesota identification card that is not acceptable for federal identification must be marked "not for federal identification" on the face of the card and in the machine-readable zone and must have a unique design or color indicator, as required by the commissioner.

(c) A Minnesota identification card that is acceptable for federal identification and issued to a person with temporary lawful status in the United States must be marked "temporary" on the face of the card and in the machine-readable zone, as required by the commissioner.

EFFECTIVE DATE. This section is effective January 1, 2018, and applies to identification cards issued based on applications submitted on and after that date.

Sec. 8. Minnesota Statutes 2014, section 171.07, subdivision 4, is amended to read:

Subd. 4. **Expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of a Minnesota identification cards of applicants under the age of 65 shall be card is the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) A Minnesota identification card issued to an applicant age 65 or older ~~shall be~~ is valid for the lifetime of the applicant, except that for the purposes of this paragraph, "Minnesota identification card" does not include: (1) an enhanced identification card issued to an applicant age 65 or older; or (2) an identification card that is acceptable for federal identification.

(c) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a ~~holder of~~ qualified applicant who holds an Under-21 identification card ~~who~~ applies for the card, pays the required fee, and presents proof of identity and age, ~~unless the commissioner determines that the applicant is not qualified for the identification card~~ of 21 years or older.

(d) The expiration date for a Minnesota identification card issued to a person with temporary lawful status is the last day of the person's lawful presence in the United States.

(e) Except as otherwise provided in paragraphs (b) and (c), the expiration date of a Minnesota identification card issued after the effective date of this paragraph and before January 1, 2018, is the birthday of the applicant in the second year following the date of issuance of the card.

EFFECTIVE DATE. Paragraphs (a) to (d) are effective January 1, 2018, and apply to Minnesota identification cards issued based on applications submitted on and after that date. Paragraph (e) is effective the day following final enactment and is repealed June 30, 2018.

Sec. 9. Minnesota Statutes 2014, section 171.07, subdivision 6, is amended to read:

Subd. 6. **Medical alert identifier.** Upon the written request of the applicant, the department shall issue a driver's license or Minnesota identification card bearing a graphic or written medical alert identifier. The applicant must request the medical alert identifier at the time the photograph or electronically produced image is taken. No specific medical information will be contained on the driver's license or Minnesota identification card.

Sec. 10. Minnesota Statutes 2014, section 171.07, subdivision 7, is amended to read:

Subd. 7. **Living Will/Health Care Directive designation.** (a) At the written request of the applicant and on payment of the required fee, the department shall issue, renew, or reissue a driver's license or Minnesota identification card bearing the graphic or written designation of a "Living Will/Health Care Directive" or an abbreviation thereof. The designation does not constitute delivery of a health care declaration under section 145B.05.

(b) On payment of the required fee, the department shall issue a replacement or renewal license or identification card without the designation if requested by the applicant.

(c) This subdivision does not impose any additional duty on a health care provider, as defined in section 145B.02, subdivision 6, or 145C.01, subdivision 6, beyond the duties imposed in chapter 145B or 145C.

(d) For the purposes of this subdivision:

(1) "living will" means a declaration made under section 145B.03; and

(2) "health care directive" means a durable power of attorney for health care under section 145C.02, or any other written advance health care directive of the applicant that is authorized by statute or not prohibited by law.

Sec. 11. Minnesota Statutes 2014, section 171.07, subdivision 15, is amended to read:

Subd. 15. **Veteran designation.** (a) At the request of an eligible applicant and on payment of the required fee, the department shall issue, renew, or reissue to the applicant a driver's license or Minnesota identification card bearing a graphic or written designation of:

(1) "Veteran"; or

(2) "Veteran 100% T&P."

(b) At the time of the initial application for the designation provided under this subdivision, the applicant must:

(1) be a veteran, as defined in section 197.447;

(2) have a certified copy of the veteran's discharge papers; and

(3) if the applicant is seeking the disability designation under paragraph (a), clause (2), provide satisfactory evidence of a 100 percent total and permanent service-connected disability as determined by the United States Department of Veterans Affairs.

(c) The commissioner of public safety is required to issue drivers' licenses and Minnesota identification cards with the veteran designation only after entering a new contract or in coordination with producing a new card design with modifications made as required by law.

Sec. 12. Minnesota Statutes 2014, section 171.07, is amended by adding a subdivision to read:

Subd. 19. **Resident lifetime game and fish license.** (a) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a resident lifetime license under section 97A.473. The records transmitted from the Department of Natural Resources must contain:

(1) the full name and date of birth as required for the driver's license or identification card;

(2) the person's driver's license or identification card number;

(3) the category of lifetime license issued under section 97A.473; and

(4) the Department of Natural Resources lifetime license number.

(b) The department may delete records described in paragraph (a) if they have not been matched to a driver's license or identification card record within seven years after transmission to the department.

(c) Except as provided in paragraph (b), the department shall include, on all drivers' licenses or Minnesota identification cards issued to a person who holds a lifetime license, a graphic or written designation of the lifetime license, and the category of the lifetime license.

(d) If a person with a lifetime license under section 97A.473 applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the license issued under section 97A.473 as proof of its issuance and shall then follow the procedures in paragraph (c).

EFFECTIVE DATE. This section is effective January 1, 2018, or on the date the Department of Public Safety implements the Minnesota Licensing and Registration System (MNLARS), whichever occurs first.

Sec. 13. Minnesota Statutes 2014, section 171.071, subdivision 3, is amended to read:

Subd. 3. **Exception Exceptions.** Subdivision 1 does not apply to a license or card that is acceptable for federal identification. Subdivisions 1 and 2 do not apply to the commissioner's requirements pertaining to a photograph or electronically produced image on an enhanced driver's license or an enhanced identification card.

EFFECTIVE DATE. This section is effective January 1, 2018, and applies to licenses and identification cards issued based on applications submitted on and after that date.

Sec. 14. Minnesota Statutes 2014, section 171.072, is amended to read:

171.072 TRIBAL IDENTIFICATION CARD.

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules. This paragraph does not apply to documentation of identification for a driver's license or Minnesota identification card when the license or card is acceptable for federal identification.

(b) For purposes of this section, "tribal identification card" means an unexpired identification card issued by a Minnesota tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled tribal member.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must

be highly resistant to data or photograph substitution and other tampering. The requirements of this section do not apply to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

EFFECTIVE DATE. This section is effective January 1, 2018, and applies to applications submitted on and after that date.

Sec. 15. Minnesota Statutes 2014, section 171.12, subdivision 7, is amended to read:

Subd. 7. **Privacy of data.** (a) Data on individuals provided to obtain a driver's license or Minnesota identification card shall be treated as provided by United States Code, title 18, section 2721, as in effect on May 23, 2005, and shall be disclosed as required or permitted by that section. The commissioner shall disclose the data in bulk form upon request to an authorized recipient under United States Code, title 18, section 2721.

(b) An applicant for a driver's license or a Minnesota identification card may consent, in writing, to the commissioner to disclose the applicant's personal information exempted by United States Code, title 18, section 2721, to any person who makes a request for the personal information. If the applicant so authorizes disclosures, the commissioner shall implement the request and the information may be used.

(c) If authorized by an applicant for a driver's license or a Minnesota identification card, as indicated in paragraph (b), the applicant's personal information may be used, rented, or sold solely for bulk distribution by organizations for business purposes, including surveys, marketing, or solicitation.

(d) An applicant for a driver's license, instruction permit, or Minnesota identification card may request that the applicant's residence address be classified as "private data on individuals," as defined in section 13.02, subdivision 12. The commissioner shall grant the classification on receipt of a signed statement by the individual that the classification is required for the safety of the applicant or the applicant's family, if the statement also provides a valid, existing address where the applicant consents to receive service of process. The commissioner shall use the service for process mailing address in place of the residence address in all documents and notices pertaining to the driver's license, instruction permit, or Minnesota identification card. The residence address and any information provided in the classification request, other than the mailing address, are private data on individuals and may be provided to requesting law enforcement agencies, probation and parole agencies, and public authorities, as defined in section 518A.26, subdivision 18.

(e) Except as otherwise provided by applicable federal laws and regulations concerning commercial drivers' licenses, in connection with the issuance of a driver's license or identification card that is not acceptable for federal identification, the commissioner shall not:

(1) electronically disseminate outside the state personally identifiable data that is not disseminated as of January 1, 2018; or

(2) utilize any electronic validation or verification system accessible or maintained outside the state that is not in use as of January 1, 2018.

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

Sec. 16. Minnesota Statutes 2014, section 171.27, is amended to read:

171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.

(a) The expiration date for each driver's license, ~~other than under-21 licenses~~ except as otherwise provided in this section, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on the application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

(b) The expiration date for each under-21 license shall be the 21st birthday of the licensee. Upon the licensee attaining the age of 21 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued unless the commissioner determines that the licensee is no longer qualified as a driver.

(c) The expiration date for each provisional license is two years after the date of application for the provisional license.

(d) The expiration date for a license issued to a person with temporary lawful status is the last day of the person's lawful stay in the United States.

(e) Any valid Minnesota driver's license issued to a person then or subsequently serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the United States, or the person's spouse, shall continue in full force and effect without requirement for renewal until the date one year following the service member's separation or discharge from active military service, and until the license holder's birthday in the fourth full year following the person's most recent license renewal or, in the case of a provisional license, until the person's birthday in the third full year following the renewal.

(f) Except as otherwise provided in paragraphs (b), (c), and (e), the expiration date of a Minnesota driver's license issued after the effective date of this paragraph and before January 1, 2018, is the birthday of the applicant in the second year following the date of issuance of the license.

EFFECTIVE DATE. Except for paragraph (f), this section is effective January 1, 2018, and applies to licenses issued based on applications submitted on and after that date. Paragraph (f) is effective the day following final enactment and is repealed June 30, 2018.

Sec. 17. **IMPLEMENTATION AND RULEMAKING; REAL ID ACT.**

Subdivision 1. **Direction to implement.** The commissioner of public safety shall implement those sections of Public Law 109-13, known as the Real ID Act, as provided in this act.

Subd. 2. **Certification.** The commissioner shall comply with the certification requirements under Code of Federal Regulations, title 6, section 37.55, as soon as reasonably possible.

Subd. 3. **Extension of time to comply.** The commissioner shall seek one or more extensions of time to comply with Real ID until the Secretary of Homeland Security has finally certified this state to be in compliance with the Real ID Act.

Subd. 4. **Rulemaking.** The commissioner of public safety shall adopt rules and amend existing Minnesota Rules only to the extent necessary to implement a two-tier license program under the Real ID Act of 2005 and applicable state law to issue:

(1) drivers' licenses and Minnesota identification cards that are acceptable for federal identification; and

(2) drivers' licenses and Minnesota identification cards that are not acceptable for federal identification, but comply with Code of Federal Regulations, title 6, section 37.71, state law, and applicable provisions of this act, and serve the public interest by promoting public safety, compliance by the driving public with state traffic and insurance laws, and data privacy.

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

Sec. 18. **REPEALER.**

Laws 2009, chapter 92, section 1, as amended by Laws 2016, chapter 83, section 1, is repealed.

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

Delete the title and insert:

"A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing driver's licenses and Minnesota identification cards; requiring rulemaking to implement a two-tier license system; amending Minnesota Statutes 2014, sections 97A.405, subdivision 2; 171.01, subdivision 37, by adding a subdivision; 171.017; 171.06, subdivision 3; 171.07, subdivisions 1, 4, 6, 7, 15, by adding subdivisions; 171.071, subdivision 3; 171.072; 171.12, subdivision 7; 171.27; repealing Laws 2009, chapter 92, section 1, as amended."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2930: A bill for an act relating to manufactured homes; park lot rentals; making changes to the manufactured home relocation trust fund; amending Minnesota Statutes 2014, section 327C.095, subdivision 13.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2014, section 327C.095, subdivision 12, is amended to read:

Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.** (a) If a manufactured home owner is required to move due to the conversion of all or a portion of a manufactured home park to another use, the closure of a park, or cessation of use of the land as a manufactured home park, the manufactured park owner shall, upon the change in use, pay to the commissioner of management and budget for deposit in the Minnesota manufactured home relocation trust fund under section 462A.35, the lesser amount of the actual costs of moving or purchasing the manufactured home approved by the neutral third party and paid by the Minnesota

Housing Finance Agency under subdivision 13, paragraph (a) or (e), or \$3,250 for each single section manufactured home, and \$6,000 for each multisection manufactured home, for which a manufactured home owner has made application for payment of relocation costs under subdivision 13, paragraph (c). The manufactured home park owner shall make payments required under this section to the Minnesota manufactured home relocation trust fund within 60 days of receipt of invoice from the neutral third party.

(b) A manufactured home park owner is not required to make the payment prescribed under paragraph (a), nor is a manufactured home owner entitled to compensation under subdivision 13, paragraph (a) or (e), if:

(1) the manufactured home park owner relocates the manufactured home owner to another space in the manufactured home park or to another manufactured home park at the park owner's expense;

(2) the manufactured home owner is vacating the premises and has informed the manufactured home park owner or manager of this prior to the mailing date of the closure statement under subdivision 1;

(3) a manufactured home owner has abandoned the manufactured home, or the manufactured home owner is not current on the monthly lot rental, personal property taxes;

(4) the manufactured home owner has a pending eviction action for nonpayment of lot rental amount under section 327C.09, which was filed against the manufactured home owner prior to the mailing date of the closure statement under subdivision 1, and the writ of recovery has been ordered by the district court;

(5) the conversion of all or a portion of a manufactured home park to another use, the closure of a park, or cessation of use of the land as a manufactured home park is the result of a taking or exercise of the power of eminent domain by a governmental entity or public utility; or

(6) the owner of the manufactured home is not a resident of the manufactured home park, as defined in section 327C.01, subdivision 9, or the owner of the manufactured home is a resident, but came to reside in the manufactured home park after the mailing date of the closure statement under subdivision 1.

(c) If the unencumbered fund balance in the manufactured home relocation trust fund is less than \$1,000,000 as of June 30 of each year, the commissioner of management and budget shall assess each manufactured home park owner by mail the total amount of ~~\$12~~ \$15 for each licensed lot in their park, payable on or before September 15 of that year. The commissioner of management and budget shall deposit any payments in the Minnesota manufactured home relocation trust fund. On or before July 15 of each year, the commissioner of management and budget shall prepare and distribute to park owners a letter explaining whether funds are being collected for that year, information about the collection, an invoice for all licensed lots, and a sample form for the park owners to collect information on which park residents have been accounted for. If assessed under this paragraph, the park owner may recoup the cost of the ~~\$12~~ \$15 assessment as a lump sum or as a monthly fee of no more than ~~\$1~~ \$1.25 collected from park residents together with monthly lot rent as provided in section 327C.03, subdivision 6. Park owners may adjust payment for lots in their park that are vacant or otherwise not eligible for contribution to the trust fund under section 327C.095, subdivision 12, paragraph (b), and deduct from the assessment accordingly.

(d) This subdivision and subdivision 13, paragraph (c), clause (5), are enforceable by the neutral third party, on behalf of the Minnesota Housing Finance Agency, or by action in a court of appropriate jurisdiction. The court may award a prevailing party reasonable attorney fees, court costs, and disbursements."

Page 2, line 16, strike "\$12" and insert "\$15"

Page 3, line 11, delete "\$4,000" and insert "\$2,000" and delete "\$8,000" and insert "\$4,000"

Page 3, line 18, strike "\$12" and insert "\$15"

Page 4, delete section 2

Renumber the sections in sequence

Amend the title numbers accordingly

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. 1075: A bill for an act relating to game and fish; requiring online applications for hunting and fishing licenses to provide for organ donation; requiring a report; amending Minnesota Statutes 2014, sections 13.7931, subdivision 6; 171.075, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Page 2, delete line 20 and insert:

"EFFECTIVE DATE. This section is effective March 1, 2017, except that costs incurred by the department to implement this section prior to the effective date are eligible for reimbursement under paragraph (f)."

Page 2, delete section 3

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 2963: A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; adding requirements for use of trust fund money; proposing coding for new law in Minnesota Statutes, chapter 116P.

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

Page 4, line 20, delete "70" and insert "67"

Page 25, line 29, delete "and Crow"

Page 25, line 30, delete "Wing" and insert ", Beltrami, Hubbard, and Itasca"

Page 32, line 21, delete "150" and insert "300"

Page 38, line 25, delete "original"

Page 45, delete subdivision 18 and insert:

"Subd. 18. Carryforward

(a) The availability of the appropriations for the following projects are extended to June 30, 2017:

(1) Laws 2013, chapter 52, section 2, subdivision 3, paragraph (c), County Geologic Atlases - Part B;

(2) Laws 2013, chapter 52, section 2, subdivision 4, paragraph (d), Metropolitan Conservation Corridors (MeCC) - Phase VII, \$400,000 for the agreement with the Minnesota Valley National Wildlife Refuge Trust, Inc. only;

(3) Laws 2013, chapter 52, section 2, subdivision 4, paragraph (i), Conservation Grazing to Improve Wildlife Habitat on Wildlife Management Areas;

(4) Laws 2013, chapter 52, section 2, subdivision 5, paragraph (b), Assessment of Natural Copper-Nickel Bedrocks on Water Quality;

(5) Laws 2013, chapter 52, section 2, subdivision 5, paragraph (f), Evaluation of Lake Superior Water Quality Health;

(6) Laws 2013, chapter 52, section 2, subdivision 6, paragraph (c), Improving Emerald Ash Borer Detection Efficacy for Control;

(7) Laws 2014, chapter 226, section 2, subdivision 3, paragraph (l), Rainwater Reuse and Valuation Investigation;

(8) Laws 2014, chapter 226, section 2, subdivision 10, paragraph (c), Legislative-Citizen Commission on Minnesota Resources (LCCMR) for upgrade and modernization of a project records management system; and

(9) Laws 2014, chapter 226, section 2, subdivision 8, paragraph (b), Innovative Groundwater-Enhanced Geothermal Heat Pump Study.

(b) The availability of the appropriations for the following projects are extended to June 30, 2018:

(1) Laws 2014, chapter 226, section 2, subdivision 7, paragraph (e), Martin County Park and Natural Area Acquisition; and

(2) Laws 2015, chapter 76, section 2, subdivision 4, paragraph (d), Preventing Phosphorous, Nitrogen and Pesticides from Entering Water Resources through Drain Tiles."

Page 47, after line 34, insert:

"Sec. 5. Minnesota Statutes 2014, section 137.025, is amended by adding a subdivision to read:

Subd. 2a. Appropriations from Minnesota environment and natural resources trust fund. (a) The commissioner of management and budget shall pay no money to the University of Minnesota pursuant to a direct appropriation from the Minnesota environment and natural resources trust fund until the University of Minnesota requests reimbursement for expenditures related to the direct appropriation. The reimbursement request shall specify expenditures by appropriation. The commissioner of management and budget shall reimburse the University of Minnesota by the 25th day of the month following the reimbursement request. If the 25th day of the month falls on a Saturday, Sunday, or holiday, the payment must be made by the first business day immediately following the 25th day of the month.

(b) For each year the appropriation is available, the University of Minnesota must submit an encumbrance request to the commissioner of management and budget by July 31 for the prior fiscal year. The encumbrance request shall identify the amount the university anticipates it will request for reimbursement for expenses in the prior fiscal year by appropriation. The commissioner of management and budget shall maintain this amount as an encumbrance at the state level until the university submits its final reimbursement request for that fiscal year.

(c) Final requests for reimbursement must be made within 90 days from the last day the appropriation is available to reimburse expenditures."

Amend the title as follows:

Page 1, line 3, after the second semicolon, insert "creating reimbursement procedures for the University of Minnesota for money from the environment and natural resources trust fund"

Amend the title numbers accordingly

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

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

S.F. No. 2802: A bill for an act relating to cosmetology; regulating eyelash extension services; providing grandfathered licenses; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2014, section 155A.23, by adding subdivisions; Minnesota Statutes 2015 Supplement, sections 155A.23, subdivisions 8, 18; 155A.27, subdivision 1; 155A.271, subdivision 1; 155A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 155A.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 155A.23, is amended by adding a subdivision to read:

Subd. 4a. **Eyelash extensions.** "Eyelash extensions" means the application, removal, and trimming of threadlike natural or synthetic fibers to an eyelash, and includes the cleansing of the eye area and lashes. Eyelash extensions do not include color agents, straightening agents, permanent wave solutions, bleaching agents, applications to the eyebrow, or any other cosmetology service.

Sec. 2. Minnesota Statutes 2014, section 155A.23, is amended by adding a subdivision to read:

Subd. 4b. **Eyelash technician.** An "eyelash technician" is any person who is not a cosmetologist, esthetician, or advanced practice esthetician who, for compensation, performs the personal services limited to eyelash extensions as defined in subdivision 4a only.

Sec. 3. Minnesota Statutes 2015 Supplement, section 155A.23, subdivision 8, is amended to read:

Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician, advanced practice esthetician, or nail technician practitioner, or eyelash technician practitioner, and who has a manager license and provides any services under that license, as defined in subdivision 3.

Sec. 4. Minnesota Statutes 2015 Supplement, section 155A.23, subdivision 18, is amended to read:

Subd. 18. **Practitioner.** A "practitioner" is any person licensed in the practice of cosmetology, esthology, or nail technology services, or eyelash technology services.

Sec. 5. Minnesota Statutes 2015 Supplement, section 155A.27, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** A person must hold an individual license to practice in the state as a cosmetologist, esthetician, nail technician, eyelash technician, advanced practice esthetician, manager, or instructor.

Sec. 6. Minnesota Statutes 2015 Supplement, section 155A.271, is amended to read:

155A.271 CONTINUING EDUCATION REQUIREMENTS.

Subdivision 1. **Continuing education requirements.** (a) ~~Effective August 1, 2014,~~ To qualify for license renewal under this chapter as an individual cosmetologist, nail technician, esthetician, advanced practice esthetician, eyelash technician, or salon manager, the applicant must ~~attest to the completion of~~ complete four hours of continuing education credits from ~~an accredited school or a~~

~~professional association of cosmetology~~ a board-approved continuing education provider during the three years prior to the applicant's renewal date. One credit hour of the requirement must include instruction pertaining to state laws and rules governing the practice of cosmetology. Three credit hours must include instruction pertaining to health, safety, and infection control matters consistent with the United States Department of Labor's Occupational Safety and Health Administration standards applicable to the practice of cosmetology, or other applicable federal health, infection control, and safety standards, and must be regularly updated so as to incorporate newly developed standards and accepted professional best practices. Credit hours earned are valid for three years and may be applied simultaneously to all individual licenses held by a licensee under this chapter.

(b) Effective August 1, 2017, in addition to the hours of continuing education credits required under paragraph (a), to qualify for license renewal under this chapter as an individual cosmetologist, nail technician, esthetician, advanced practice esthetician, or salon manager, the applicant must also ~~attest to the completion of one four-hour~~ complete a four credit hour continuing education course from a board-approved continuing education provider based on any ~~or all~~ of the following within the licensee's scope of practice:

- (1) product chemistry and ~~chemistry~~ chemical interaction;
- (2) proper use and maintenance of machines and instruments;
- (3) business management, professional ethics, and human relations; or
- (4) techniques relevant to the type of license held.

Credits are valid for three years and must be completed with a board-approved provider of continuing education during the three years prior to the applicant's renewal date and may be applied simultaneously to other individual licenses held as applicable, except that credits completed under this paragraph must not duplicate credits completed under paragraph (a).

(c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license, or an inactive license.

Subd. 1a. **Product sales or marketing prohibited.** The marketing or sale of any product is prohibited during a continuing education class receiving credit under subdivision 1.

Subd. 2. **Continuing education providers.** (a) Only a board-licensed school of cosmetology, a postsecondary institution as defined in section 136A.103, paragraph (a), or a board-recognized professional association organized under chapter 317A may be approved by the board to offer continuing education curriculum for credit under subdivision 1, paragraph (a). Continuing education ~~curriculum~~ under subdivision 1, paragraph (b), may be offered by a:

- (1) board-licensed school of cosmetology;
- (2) board-recognized professional association organized under chapter 317A; or
- (3) board-licensed salon.

~~The~~ An approved school and or professional association may offer online and independent study options Web-based continuing education instruction to achieve maximum involvement of licensees. Continuing education providers are encouraged to offer classes available in foreign language formats.

(b) Board ~~authorization approval~~ of a any continuing education provider ~~under paragraph (a)~~ is valid for one calendar year and is contingent upon submission and preapproval of the lesson plan or plans with learning objectives for the class to be offered and the payment of the application fee in section 155A.25, subdivision 1a, paragraph (d), clause (11). The board shall maintain a list of approved providers and courses on the board's Web site. The board may revoke authorization of a continuing education provider at any time for just cause and the board may demand return of documents required under subdivision 3.

Subd. 3. **Proof of credits.** The continuing education provider shall provide to licensees ~~who attend a class a receipt to prove~~ documentation establishing completion of the class. Licensees shall retain proof of their continuing education credits for one year beyond the credit's expiration. The continuing education provider shall retain documentation of all licensees ~~successfully~~ completing a class and the licensee's credit hours awarded by them for five years.

Subd. 4. **Audit.** The board shall conduct random audits of active licensees ~~periodically and continuing education providers~~ to ensure compliance with ~~continuing education~~ the requirements of this section. To initiate an audit, the board shall notify an active licensee of the audit and request proof of credits earned during a specified period. The licensee must provide the requested proof to the board within 30 days of an audit notice. The board may request that a ~~school or professional association~~ continuing education provider verify a licensee's credits. The ~~continuing education~~ provider must furnish verification, or a written statement that the credits are not verified, within 15 days of the board's request for verification. If the board determines that a licensee has failed to provide proof of necessary credits earned during the specified time, the board may revoke the individual's license and may deem the individual an expired practitioner subject to penalty under section 155A.25 or 155A.36. The board staff shall have unrestricted free access to any provider's class offerings to verify adherence to the provider's approved lesson plan and overall compliance with this chapter.

Sec. 7. Minnesota Statutes 2015 Supplement, section 155A.29, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation unless the services are provided by a licensee in a licensed salon or as otherwise provided in this section. Each salon must be licensed as a cosmetology salon, a nail salon, esthetician salon, ~~or~~ advanced practice esthetician salon, or eyelash extension salon. A salon may hold more than one type of salon license.

Sec. 8. **EFFECTIVE DATE; APPLICATION.**

Sections 1 to 7 are effective the day following final enactment. With respect to eyelash technicians, the Board of Cosmetologist Examiners must not enforce sections 1 to 7 until July 1, 2017. Any educational or training requirements developed by the board regarding eyelash technicians must be 14 hours."

Amend the title as follows:

Page 1, line 2, delete "providing"

Page 1, line 3, delete everything before "amending"

Amend the title numbers accordingly

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. 2555: A bill for an act relating to local government; regulating zoning of temporary family health care dwellings; establishing temporary dwelling permits; amending Minnesota Statutes 2014, section 144D.01, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 394; 462.

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

Page 3, line 26, delete ", or"

Page 3, line 27, delete "by any other ordinance"

Page 5, line 16, delete "resolution" and insert "ordinance"

Page 6, line 26, delete ", or"

Page 6, line 27, delete "by any other ordinance"

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

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

S.F. No. 2527: A bill for an act relating to natural resources; appropriating money from outdoor heritage fund; modifying evaluation provisions; modifying prior appropriations; amending Minnesota Statutes 2014, section 97A.056, subdivision 10; Laws 2015, First Special Session chapter 2, article 1, section 2, subdivisions 2, 3, 5.

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

Page 1, line 20, delete "115,754,000" and insert "111,809,000"

Page 2, line 1, delete "31,657,000" and insert "31,000,000"

Page 3, line 15, delete "\$3,411,000" and insert "\$2,754,000"

Page 12, line 22, delete "31,712,000" and insert "31,055,000"

Page 12, line 25, delete "\$6,307,000" and insert "\$5,650,000"

Page 14, line 17, delete "31,769,000" and insert "29,138,000"

Page 15, line 29, delete "\$3,150,000" and insert "\$2,105,000"

Page 16, line 34, delete "\$2,632,000" and insert "\$1,975,000"

Page 18, line 24, delete "\$9,412,000" and insert "\$7,438,000"

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

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

H.F. No. 3175: A bill for an act relating to public safety; requiring criminal history background checks for driving instructor license applicants; amending Minnesota Statutes 2014, section 171.35.

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

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

S.F. No. 82: A bill for an act relating to public safety; creating an enhanced penalty for criminal vehicular homicide occurring within ten years of a qualified offense; amending Minnesota Statutes 2014, sections 609.2111; 609.2112, subdivision 1; 609.2114, subdivision 1.

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

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

S.F. No. 3122: A bill for an act relating to criminal justice; extending the statute of limitations for certain identity theft crimes; amending Minnesota Statutes 2015 Supplement, section 628.26.

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

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

S.F. No. 2626: A bill for an act relating to state government; changing certain provisions of the board of directors for the Minnesota State Retirement System; ratifying labor agreements and compensation plans; ratifying the salary increase of certain agency directors; amending Minnesota Statutes 2014, sections 352.03, subdivision 5; 353.03, subdivision 3a; 354.06, subdivision 2.

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. 2430: A bill for an act relating to human services; making technical corrections to the median total care-related per diem; amending Minnesota Statutes 2015 Supplement, section 256B.441, subdivision 30.

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

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

S.F. No. 3317: A bill for an act relating to environment; modifying dry cleaner response and reimbursement account provisions; modifying prior appropriation; requiring rulemaking; amending Minnesota Statutes 2014, sections 115B.48, by adding a subdivision; 115B.50, subdivision 3, by adding a subdivision; Laws 2015, First Special Session chapter 4, article 3, section 2, subdivision 4; repealing Minnesota Statutes 2015 Supplement, section 115B.48, subdivision 9.

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

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

S.F. No. 2745: A bill for an act relating to occupations; modifying Board of Barber Examiners provisions; authorizing rulemaking; amending Minnesota Statutes 2014, sections 154.001, subdivision 2; 154.002; 154.01; 154.02; 154.04; 154.05; 154.065, subdivisions 2, 4; 154.07; 154.08; 154.09; 154.10, subdivision 2; 154.11, subdivision 1; 154.14; 154.15; 154.161, subdivision 7; 154.162; 154.19; 154.21; 154.24; 154.25; Minnesota Statutes 2015 Supplement, sections 154.003; 154.11, subdivision 3; 154.161, subdivision 4; repealing Minnesota Statutes 2014, sections 154.03; 154.06; 154.11, subdivision 2; 154.12.

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

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 1674 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1674	1506				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2718 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2718	2423				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2777 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2777	3350				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 3370 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3370	3187				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2927 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2927	3217				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 2930, 1075, 2963, 2802, 2555, 2527, 82, 3122, 2626, 2430, 3317 and 2745 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 3175, 1674, 2718, 2777, 3370 and 2927 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Housley, Champion, Reinert, Senjem and Hawj introduced—

S.F. No. 3595: A bill for an act relating to state government; designating purple as the official color of the state; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on State and Local Government.

Senators Kiffmeyer, Osmek, Hann, Anderson and Newman introduced—

S.F. No. 3596: A joint resolution making a formal application to the Congress of the United States of America to call an amendment convention for the sole purpose of proposing for ratification an amendment to the Constitution which requires a balanced federal budget.

Referred to the Committee on Rules and Administration.

Senator Wiger introduced—

S.F. No. 3597: A bill for an act relating to education; modifying certain gifted and talented provisions; amending Minnesota Statutes 2014, section 120B.15.

Referred to the Committee on Education.

Senator Gazelka introduced—

S.F. No. 3598: A bill for an act relating to consumer protection; requiring security freezes on credit reports regarding minors; amending Minnesota Statutes 2014, section 13C.016, subdivisions 2, 8.

Referred to the Committee on Commerce.

Senators Eken, Koenen, Schmit and Jensen introduced—

S.F. No. 3599: A bill for an act relating to transportation; providing an annual appropriation for the small cities assistance account; amending Minnesota Statutes 2015 Supplement, section 162.145, subdivision 2.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Senator Rosen moved that the names of Senators Bakk and Jensen be added as co-authors to S.F. No. 2473. The motion prevailed.

Senator Hann moved that the name of Senator Petersen, B. be stricken as chief author and the name of Senator Abeler be added as chief author to S.F. No. 522. 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

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:

S.F. Nos. 3262, 3162 and H.F. No. 2749.

SPECIAL ORDER

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

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill 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.

SPECIAL ORDER

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

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 45 and nays 15, as follows:

Those who voted in the affirmative were:

Bakk	Eken	Johnson	Pederson	Sieben
Bonoff	Fischbach	Kent	Reinert	Skoe
Clausen	Goodwin	Koenen	Rest	Sparks
Cohen	Hawj	Latz	Rosen	Tomassoni
Dahle	Hayden	Lourey	Saxhaug	Torres Ray
Dahms	Hoffman	Marty	Scalze	Weber
Dibble	Housley	Miller	Schmit	Westrom
Dziedzic	Ingebrigtsen	Nelson	Senjem	Wiger
Eaton	Jensen	Pappas	Sheran	Wiklund

Those who voted in the negative were:

Abeler	Brown	Hall	Limmer	Osmek
Anderson	Chamberlain	Hann	Newman	Ruud
Benson	Gazelka	Kiffmeyer	Nienow	Thompson

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2749: A bill for an act relating to state government; conforming buyback level for the budget reserve with the most recent forecast; eliminating obsolete language; providing policy and finance for the Office of Higher Education, the Minnesota State Colleges and Universities, and the University of Minnesota, including programs for student loans, students with disabilities, fetal tissue research, psychiatric drug trials, and collegiate recovery; providing funding and policy for early childhood and family, prekindergarten through grade 12, and adult education, including general education, education excellence, charter schools, special education, early childhood education, self-sufficiency, lifelong learning, and state agencies; appropriating money; requiring reports; amending Minnesota Statutes 2014, sections 120A.22, subdivision 12; 120A.42; 120B.02, by adding a subdivision; 120B.021, subdivisions 1, 3; 120B.11, subdivisions 1a, 2, 3, 4, 5; 120B.15; 120B.31, by adding subdivisions; 120B.35; 120B.36, as amended; 121A.53; 121A.61, subdivision 1; 121A.64; 122A.07, subdivision 2; 122A.09, subdivision 10, by adding a subdivision; 122A.14, subdivision 9; 122A.16; 122A.18, subdivisions 7c, 8; 122A.21, subdivision 1, by adding a subdivision; 122A.245, subdivision 8; 122A.31, subdivision 3; 122A.40, subdivision 10; 122A.41, by adding a subdivision; 122A.4144; 122A.416; 122A.42; 122A.72, subdivision 5; 123A.24, subdivision 2; 123B.147, subdivision 3; 123B.49, subdivision 4; 123B.571, subdivision 2; 123B.60, subdivision 1; 123B.71, subdivision 8; 123B.79, subdivisions 5, 8, 9; 124D.111, by adding a subdivision; 124D.13, subdivisions 1, 5, 9; 124D.135, subdivisions 5, 7; 124D.15, subdivisions 1, 3a, 15; 124D.16, subdivisions 3, 5; 124D.165, as amended; 124D.52, subdivisions 1, 2; 124D.55; 124D.59, by adding a subdivision; 124D.861, as amended; 124D.896; 125A.091, subdivision 11; 125A.0942, subdivision 4; 126C.10, subdivisions 2e, 24; 126C.15, subdivision 3; 126C.17, subdivision 9a; 126C.40, subdivision 5; 126C.63, subdivision 7; 127A.095; 127A.353, subdivision 4; 127A.41, subdivision 2; 127A.45, subdivision 6a; 127A.51; 129C.10, subdivision 1; 136A.01, by adding a subdivision; 136A.101, subdivision 10; 245.92; 245.94; 245.945; 245.95, subdivision 1; 245.97, subdivision 5; Minnesota Statutes 2015 Supplement, sections 16A.152, subdivision 2; 120B.021, subdivision 4; 120B.125; 120B.30, subdivisions 1, 1a; 120B.301; 120B.31, subdivision 4; 122A.09, subdivision 4; 122A.21, subdivision 2; 122A.30; 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.414, subdivisions 1, 2, 2b; 122A.415, subdivision 3; 122A.60, subdivision 4; 123B.53, subdivision 1; 123B.595, subdivisions 4, 7, 8, 9, 10, 11, by adding a subdivision; 124D.16, subdivision 2; 124D.231, subdivision 2; 124D.73, subdivision 4; 124E.05, subdivisions 4, 5, 7; 124E.10, subdivisions 1, 5; 124E.16, subdivision 2; 125A.08; 125A.083; 125A.0942, subdivision 3; 125A.11, subdivision 1; 125A.21, subdivision 3; 125A.63, subdivision 4; 125A.76, subdivision 2c; 125A.79, subdivision 1; 126C.10, subdivisions 1, 13a; 126C.15, subdivisions 1, 2; 126C.48, subdivision 8; 127A.05, subdivision 6; 127A.47, subdivision 7; 136A.121, subdivision 7a; 136A.125, subdivisions 2, 4; 136A.1791, subdivisions 4, 5, 6; 136A.87; 136F.302, subdivision 1; Laws 2010, chapter 396, section 7; Laws 2011, First Special Session chapter 11, article 4, section 8; Laws 2012, chapter 263, section 1, as amended; Laws 2013, chapter 116, article 7, section 19, as amended; Laws 2015, chapter 69, article 1, sections 3, subdivisions 19, 28; 5, subdivision 2; article 3, sections 20, subdivision 15; 24, subdivision 1; Laws 2015, First Special Session chapter 3, article

1, section 27, subdivisions 2, 4, 5, 6, 7, 9; article 2, section 70, subdivisions 2, 3, 4, 5, 6, 7, 11, 12; article 3, section 15, subdivision 3; article 4, sections 4; 9, subdivision 2; article 5, section 30, subdivisions 2, 3, 5; article 6, section 13, subdivisions 2, 3, 6, 7; article 7, section 7, subdivisions 2, 3, 4; article 9, section 8, subdivisions 5, 6, 7, 9; article 10, section 3, subdivision 2; article 11, section 3, subdivisions 2, 3; article 12, section 4; proposing coding for new law in Minnesota Statutes, chapters 119A; 120B; 121A; 122A; 124D; 125B; 127A; 129C; 136A; 136F; 137; 181; repealing Minnesota Statutes 2014, sections 120B.299, subdivision 5; 122A.40, subdivision 11; 122A.41, subdivision 14; 122A.413, subdivision 3; 122A.74; 123B.60, subdivision 2; 123B.79, subdivisions 2, 6; Minnesota Statutes 2015 Supplement, section 122A.413, subdivisions 1, 2; Minnesota Rules, part 3535.0110, subparts 6, 7, 8.

CALL OF THE SENATE

Senator Cohen imposed a call of the Senate for the balance of the proceedings on H.F. No. 2749. The Sergeant at Arms was instructed to bring in the absent members.

Senator Limmer moved that H.F. No. 2749 be re-referred to the Committee on Finance.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

Abeler	Fischbach	Ingebrigtsen	Nienow	Thompson
Anderson	Gazelka	Kiffmeyer	Osmek	Weber
Benson	Hall	Limmer	Pederson	Westrom
Brown	Hann	Miller	Pratt	
Chamberlain	Hayden	Nelson	Ruud	
Dahms	Housley	Newman	Senjem	

Those who voted in the negative were:

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

The motion did not prevail.

Senator Newman moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Delete everything after the enacting clause and insert:

"Section 1. **CORRIDORS OF COMMERCE.**

\$100,000,000 in fiscal year 2017 is appropriated from the trunk highway fund to the commissioner of transportation for the corridors of commerce program under Minnesota Statutes, section 161.088. This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts and consultant usage to support these

activities. This includes the cost of actual payments to landowners for lands acquired for highway rights-of-way, payments to lessees, interest subsidies, and relocation expenses. This is a onetime appropriation and is available until June 30, 2019.

Sec. 2. **TRUNK HIGHWAY FUND.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$100,000,000 from the general fund to the trunk highway fund. This is a onetime transfer.

Sec. 3. **HIGHWAY USER TAX DISTRIBUTION FUND.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$325,000,000 from the general fund to the highway user tax distribution fund. This is a onetime transfer.

Sec. 4. **SMALL CITIES ASSISTANCE.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$19,000,000 from the general fund to the small cities assistance account in the special revenue fund under Minnesota Statutes, section 162.145. This is a onetime transfer.

Sec. 5. **GRADE CROSSING SAFETY.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$19,000,000 from the general fund to the grade crossing safety account in the special revenue fund under Minnesota Statutes, section 219.1651. This is a onetime transfer."

Amend the title accordingly

Senator Cohen moved to amend the Newman amendment to H.F. No. 2749 as follows:

Page 1, line 4, delete "Delete everything after the enacting clause and insert:" and insert "Page 209, after line 8, insert:"

Renumber the sections in sequence and correct the internal references

Senator Hann raised a point of order pursuant to Sec. 401, Par. 3 of Mason's Manual of Legislative Procedure that the Cohen amendment to the Newman amendment was not in order.

The President ruled the point of order not well taken.

Senator Newman withdrew his amendment.

Senator Hawj moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 158, after line 18, insert:

"Sec. 36. **ETHNIC COUNCIL REVIEW.**

The commissioners of each agency appropriated money in this article may consult with the four ethnic councils under Minnesota Statutes, sections 3.922 and 15.0145, regarding implementation of the programs funded under this article. Any request for proposals developed by a state agency as a result of this article may be reviewed by the four ethnic councils prior to public submission.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dahms moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 322, after line 28, insert:

"Sec. 4. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 10, is amended to read:

Subd. 10. **Allowed uses for long-term facilities maintenance revenue.** (a) A district may use revenue under this section for any of the following:

(1) deferred capital expenditures and maintenance projects necessary to prevent further erosion of facilities;

(2) increasing accessibility of school facilities; ~~or~~

(3) health and safety capital projects under section 123B.57; ~~or~~

(4) for violence prevention and facility security, ergonomics, or emergency communication devices.

(b) A charter school may use revenue under this section for any purpose related to the school.

Sec. 5. Minnesota Statutes 2015 Supplement, section 123B.595, subdivision 11, is amended to read:

Subd. 11. **Restrictions on long-term facilities maintenance revenue.** Notwithstanding subdivision ~~11~~ 10, long-term facilities maintenance revenue may not be used:

(1) for the construction of new facilities, remodeling of existing facilities, or the purchase of portable classrooms;

(2) to finance a lease purchase agreement, installment purchase agreement, or other deferred payments agreement; ~~or~~

(3) for energy-efficiency projects under section 123B.65, for a building or property or part of a building or property used for postsecondary instruction or administration, or for a purpose unrelated to elementary and secondary education; ~~or~~

~~(4) for violence prevention and facility security, ergonomics, or emergency communication devices."~~

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Bonoff moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 5, line 29, delete "Additional Campus Program Support" and insert "Operating Support and Protecting Affordability"

Page 5, delete lines 30 to 31

The motion prevailed. So the amendment was adopted.

Senator Fischbach moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 77, line 7, delete "\$1,200,000" and insert "\$1,000,000"

Page 77, after line 16, insert:

"\$200,000 the second year is for a grant to the Koronis Lake Association for purposes of removing and preventing aquatic invasive species. This is a onetime appropriation."

Adjust totals accordingly

The motion prevailed. So the amendment was adopted.

Senator Cohen moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 106, line 31, after the period, insert "This is a onetime appropriation and is available until June 30, 2019."

Page 112, line 17, delete "\$18,000" and insert "\$8,000"

Page 360, line 18, delete "260C.451" and insert "260C.452"

Page 595, line 35, before the second period, insert "and is available until June 30, 2019"

Page 596, after line 14, insert:

"Crisis Nursery Services. \$60,000 in fiscal year 2017 is for a grant to an organization in Minneapolis that provides free, voluntary crisis nursery services for families in crisis 24 hours per day, 365 days per year; crisis counseling; overnight residential child care; a 24-hour crisis hotline; and parent education to provide a trauma-informed continuum of care for families living in poverty, to continue

efforts to prevent child abuse and neglect, and to develop practices that can be shared with organizations around the state to reduce child abuse and neglect. This is a onetime appropriation and is available until June 30, 2019."

Page 597, delete lines 13 to 27

Page 600, line 8, delete "\$13,723,000" and insert "\$19,678,000"

Page 600, line 13, delete "\$16,450,000" and insert "\$25,879,000"

Page 600, line 14, delete "\$16,450,000" and insert "\$25,879,000"

Page 601, line 21, delete "\$6,296,000" and insert "\$6,754,000"

Page 601, line 29, after the period, insert "The base for this appropriation is \$8,423,000 in fiscal year 2018 and \$8,423,000 in fiscal year 2019."

Correct the subdivision and section totals and the appropriations by fund

The motion prevailed. So the amendment was adopted.

Senator Ruud moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 76, line 10, delete "500,000" and insert "700,000"

Page 76, after line 20, insert:

"\$200,000 the second year is to initiate, in consultation with the school trust lands director, a valuation process and representative valuations for the compensation of school trust lands required by Minnesota Statutes, section 84.027, subdivision 18, paragraph (b). By January 15, 2017, the commissioner must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources and education policy and finance on the Department of Natural Resources' progress in developing a valuation process, a description of the process to identify representative sample valuations, and the results of the representative valuations of school trust lands identified for compensation. This is a onetime appropriation."

Page 77, line 31, delete "5,668,000" and insert "5,468,000"

Page 77, line 34, delete "3,279,000" and insert "3,079,000"

Page 78, line 3, delete "\$3,000,000" and insert "\$2,800,000"

Correct the subdivision and section totals and the appropriations by fund accordingly

The motion prevailed. So the amendment was adopted.

Senator Bakk moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 45, after line 20, insert:

"Sec. 28. Minnesota Statutes 2015 Supplement, section 326B.988, is amended to read:

326B.988 EXCEPTIONS.

(a) The provisions of sections 326B.95 to 326B.998 shall not apply to:

(1) boilers and pressure vessels in buildings occupied solely for residence purposes with accommodations for not more than five families;

(2) railroad locomotives operated by railroad companies for transportation purposes;

(3) air tanks installed on the right-of-way of railroads and used directly in the operation of trains;

(4) boilers and pressure vessels under the direct jurisdiction of the United States;

(5) unfired pressure vessels having an internal or external working pressure not exceeding 15 psig with no limit on size;

(6) pressure vessels used for storage of compressed air not exceeding five cubic feet in volume and equipped with an ASME code stamped safety valve set at a maximum of 100 psig;

(7) pressure vessels having an inside diameter not exceeding six inches;

(8) every vessel that contains water under pressure, including those containing air that serves only as a cushion, whose design pressure does not exceed 300 psig and whose design temperature does not exceed 210 degrees Fahrenheit;

(9) boiler or pressure vessels located on farms used solely for agricultural or horticultural purposes; for purposes of this section, boilers used for mint oil extraction are considered used for agricultural or horticultural purposes, provided that the owner or lessee complies with the inspection requirements contained in section 326B.958;

(10) tanks or cylinders used for storage or transfer of liquefied petroleum gases;

(11) unfired pressure vessels in petroleum refineries;

(12) an air tank or pressure vessel which is an integral part of a passenger motor bus, truck, or trailer;

(13) hot water heating and other hot liquid boilers not exceeding a heat input of 750,000 BTU per hour;

(14) hot water supply boilers (water heaters) not exceeding a heat input of 500,000 BTU per hour, a water temperature of 210 degrees Fahrenheit, a nominal water capacity of 120 gallons, or a pressure of 160 psig;

(15) a laundry and dry cleaning press not exceeding five cubic feet of steam volume;

(16) pressure vessels operated full of water or other liquid not materially more hazardous than water, if the vessel's contents' temperature does not exceed 210 degrees Fahrenheit or a pressure of 200 psig;

(17) steam-powered turbines at papermaking facilities which are powered by steam generated by steam facilities at a remote location;

(18) manually fired boilers for model locomotive, boat, tractor, stationary engine, or antique motor vehicles constructed or maintained only as a hobby for exhibition, educational or historical purposes and not for commercial use, if the boilers have an inside diameter of 12 inches or less, or a grate area of two square feet or less, and are equipped with an ASME stamped safety valve of adequate size, a water level indicator, and a pressure gauge;

(19) any pressure vessel used as an integral part of an electrical circuit breaker;

(20) pressure vessels used for the storage of refrigerant if they are built to ASME code specifications, registered with the national board, and equipped with an ASME code-stamped pressure-relieving device set no higher than the maximum allowable working pressure of the vessel. This does not include pressure vessels used in ammonia refrigeration systems;

(21) pressure vessels used for the storage of oxygen, nitrogen, helium, carbon dioxide, argon, nitrous oxide, or other medical gas, provided the vessel is constructed to ASME or Minnesota Department of Transportation specifications and equipped with an ASME code-stamped pressure-relieving device. The owner of the vessels shall perform annual visual inspections and planned maintenance on these vessels to ensure vessel integrity;

(22) pressure vessels used for the storage of compressed air for self-contained breathing apparatuses;

(23) hot water heating or other hot liquid boilers vented directly to the atmosphere; and

(24) pressure vessels used for the storage of compressed air not exceeding 1.5 cubic feet (11.22 gallons) in volume with a maximum allowable working pressure of 600 psi or less.

(b) An engineer's license is not required for hot water supply boilers.

(c) An engineer's license and annual inspection by the department is not required for boilers, steam cookers, steam kettles, steam sterilizers or other steam generators not exceeding 100,000 BTU per hour input, 25 kilowatt, and a pressure of 15 psig.

(d) Electric boilers not exceeding a maximum working pressure of 50 psig, maximum of 30 kilowatt input or three horsepower rating shall be inspected as pressure vessels and shall not require an engineer license to operate.

(e) Sawmills, located in a county with a population of less than 8,000 according to the last federal census and that utilize steam for the drying of lumber, are not required to meet the high pressure boiler attendance requirements set forth in Minnesota Rules, part 5225.1180, only if all of the following conditions are met:

(1) the owner complies with the inspection requirements under section 326B.958, and the licensing requirements under section 326B.972; and

(2) the boiler:

(i) is equipped with electronic control systems that are remotely operated but which require on-site manual reset of system faults;

(ii) is remotely monitored for log water levels, boiler pressure, and steam flow;

(iii) has automatic safety mechanisms built into the remote monitoring systems that send an alarm upon detection of a fault condition, and an on-site alarm that will sound upon detection of a fault condition and which may be heard at a distance of 500 feet;

(iv) has a water treatment program that is supervised by a third party water treatment company; and

(v) is attended on site by a licensed boiler operator at least two times in a 24-hour period. If the boiler is not attended more than twice in a 24-hour period, the period between checks must not be less than eight hours.

~~This paragraph expires August 1, 2016.~~ This paragraph expires the sooner of August 1, 2018, or upon the effective date of a rule regulating high pressure boiler attendance requirements at a sawmill described in this paragraph adopted after the effective date of this act.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 464, after line 33, insert:

"Sec. 25. Minnesota Statutes 2014, section 256.01, is amended by adding a subdivision to read:

Subd. 41. Plan and timetable for processing qualifying life events and changes in circumstances. The commissioner and the board of MNsure shall jointly develop a plan and timetable for implementation to ensure qualifying life events and changes in circumstances, reported by persons enrolled through the MNsure system in a public health care program or a qualified health plan, are processed within 30 days of receiving a report of a qualifying life event or change in circumstances. The plan and timetable for implementation must be developed no later than January 15, 2017."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Koenen moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 509, after line 3, insert:

"Sec. 68. **PROHIBITION ON USE OF FUNDS.**

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

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Abeler	Fischbach	Kiffmeyer	Nienow	Senjem
Anderson	Gazelka	Koenen	Osmek	Sparks
Benson	Hall	Limmer	Pederson	Stumpf
Chamberlain	Hann	Miller	Pratt	Thompson
Dahms	Housley	Nelson	Rosen	Weber
Eken	Ingebrigtsen	Newman	Ruud	Westrom

Those who voted in the negative were:

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

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

Senator Saxhaug moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 75, line 34, delete "14,885,000" and insert "14,816,000"

Page 76, delete line 6

Page 76, line 10, delete "500,000" and insert "400,000"

Page 76, line 11, delete "\$500,000" and insert "\$400,000"

Page 77, line 31, delete "5,668,000" and insert "5,699,000"

Page 77, line 34, delete "3,279,000" and insert "3,379,000"

Page 78, delete line 2

Page 78, line 18, delete "\$69,000" and insert "\$100,000" and delete "from the state"

Page 78, delete line 19

Page 78, line 20, delete "school fund"

Correct the subdivision and section totals and the appropriations by fund

The motion prevailed. So the amendment was adopted.

Senator Pederson moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 212, delete section 2

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Newman moved to amend the Pederson amendment to H.F. No. 2749 as follows:

Page 1, delete line 4 and insert:

"Delete everything after the enacting clause and insert:

"Section 1. **CORRIDORS OF COMMERCE.**

\$100,000,000 in fiscal year 2017 is appropriated from the trunk highway fund to the commissioner of transportation for the corridors of commerce program under Minnesota Statutes, section 161.088. This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts and consultant usage to support these activities. This includes the cost of actual payments to landowners for lands acquired for highway rights-of-way, payments to lessees, interest subsidies, and relocation expenses. This is a onetime appropriation and is available until June 30, 2019.

Sec. 2. **TRUNK HIGHWAY FUND.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$100,000,000 from the general fund to the trunk highway fund. This is a onetime transfer.

Sec. 3. **HIGHWAY USER TAX DISTRIBUTION FUND.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$325,000,000 from the general fund to the highway user tax distribution fund. This is a onetime transfer.

Sec. 4. **SMALL CITIES ASSISTANCE.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$19,000,000 from the general fund to the small cities assistance account in the special revenue fund under Minnesota Statutes, section 162.145. This is a onetime transfer.

Sec. 5. **GRADE CROSSING SAFETY.**

On or after July 1, 2016, the commissioner of management and budget shall transfer \$19,000,000 from the general fund to the grade crossing safety account in the special revenue fund under Minnesota Statutes, section 219.1651. This is a onetime transfer."

The question was taken on the adoption of the Newman amendment to the Pederson amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Abeler	Gazelka	Jensen	Newman	Ruud
Anderson	Hall	Kiffmeyer	Nienow	Senjem
Benson	Hann	Koenen	Osmeck	Thompson
Chamberlain	Hoffman	Limmer	Pederson	Weber
Dahms	Housley	Miller	Pratt	Westrom
Fischbach	Ingebrigtsen	Nelson	Rosen	

Those who voted in the negative were:

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

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

Senator Pederson withdrew his amendment.

Senator Sheran moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 213, after line 12, insert:

"Sec. 5. Minnesota Statutes 2014, section 168.021, subdivision 1, is amended to read:

Subdivision 1. **Disability plates; application.** (a) When a motor vehicle registered under section 168.017, a motorcycle, a motorized bicycle, a one-ton pickup truck, or a self-propelled recreational vehicle is owned or primarily operated by a permanently physically disabled person or a custodial parent or guardian of a permanently physically disabled minor, the owner may apply for and secure

from the commissioner (1) immediately, a temporary permit valid for 30 days if the applicant is eligible for the disability plates issued under this section and (2) two disability plates with attached emblems, one plate to be attached to the front, and one to the rear of the motor vehicle, truck, or recreational vehicle, or, in the case of a motorcycle or a motorized bicycle, one disability plate the same size as a regular motorcycle plate.

(b) The commissioner shall not issue more than one plate to the owner of a motorcycle or a motorized bicycle and not more than one set of plates to any owner of another vehicle described in paragraph (a) at the same time unless the state Council on Disability approves the issuance of a second plate or set of plates to an owner.

(c) When the owner first applies for the disability plate or plates, the owner must submit a medical statement in a format approved by the commissioner under section 169.345, or proof of physical disability provided for in that section.

(d) No medical statement or proof of disability is required when an owner applies for a plate or plates for one or more vehicles listed in paragraph (a) that are specially modified for and used exclusively by permanently physically disabled persons.

(e) The owner of a vehicle listed in paragraph (a) may apply for and secure (i) immediately, a permit valid for 30 days, if the applicant is eligible to receive the disability plate or plates issued under this section, and (ii) a disability plate or plates for the vehicle if:

(1) the owner employs a permanently physically disabled person who would qualify for the disability plate or plates under this section; and

(2) the owner furnishes the motor vehicle to the physically disabled person for the exclusive use of that person in the course of employment.

EFFECTIVE DATE. This section is effective January 1, 2017, if the commissioner of public safety has advised the revisor of statutes that the cost of the requirements of the section can be absorbed within existing appropriations from the vehicle services operating account in the special revenue fund.

Sec. 6. Minnesota Statutes 2014, section 168.021, subdivision 2, is amended to read:

Subd. 2. **Plate design; furnished by commissioner.** The commissioner shall design and furnish two disability plates, or one disability plate for a motorcycle or a motorized bicycle that is the same size as a regular motorcycle plate, with attached emblem or emblems to an eligible owner. The emblem must bear the internationally accepted wheelchair symbol, as designated in section 326B.106, subdivision 9, approximately three inches square. The emblem must be large enough to be visible plainly from a distance of 50 feet. An applicant eligible for a disability plate or plates shall pay the motor vehicle registration fee authorized by sections 168.013 and 168.09.

EFFECTIVE DATE. This section is effective January 1, 2017, if the commissioner of public safety has advised the revisor of statutes that the cost of the requirements of the section can be absorbed within existing appropriations from the vehicle services operating account in the special revenue fund.

Sec. 7. Minnesota Statutes 2014, section 168.021, subdivision 2a, is amended to read:

Subd. 2a. **Plate transfer.** (a) When ownership of a vehicle described in subdivision 1, is transferred, the owner of the vehicle shall remove the disability plate or plates. The buyer of the motor vehicle is entitled to receive a regular plate or plates for the vehicle without further cost for the remainder of the registration period.

(b) Notwithstanding section 168.12, subdivision 1, the disability plate or plates may be transferred to a replacement vehicle on notification to the commissioner. However, the disability plate or plates may not be transferred unless the replacement vehicle (1) is listed under section 168.012, subdivision 1, and, in case of a single plate for a motorcycle or a motorized bicycle, the replacement vehicle is a motorcycle or a motorized bicycle, and (2) is owned or primarily operated by the permanently physically disabled person.

EFFECTIVE DATE. This section is effective January 1, 2017, if the commissioner of public safety has advised the revisor of statutes that the cost of the requirements of the section can be absorbed within existing appropriations from the vehicle services operating account in the special revenue fund."

Page 216, after line 7, insert:

"Sec. 11. Minnesota Statutes 2014, section 169.345, subdivision 1, is amended to read:

Subdivision 1. **Scope of privilege.** (a) A vehicle described in section 168.021, subdivision 1, paragraph (a), that prominently displays the certificate authorized by this section or that bears the disability plate or plates issued under section 168.021 may be parked by or solely for the benefit of a physically disabled person:

- (1) in a designated parking space for disabled persons, as provided in section 169.346;
- (2) in a metered parking space without obligation to pay the meter fee and without time restrictions unless time restrictions are separately posted on official signs; and
- (3) without time restrictions in a nonmetered space where parking is otherwise allowed for passenger vehicles but restricted to a maximum period of time and that does not specifically prohibit the exercise of disabled parking privileges in that space.

A person may park the vehicle for a physically disabled person in a parking space described in clause (1) or (2) only when actually transporting the physically disabled person for the sole benefit of that person and when the parking space is within a reasonable distance from the drop-off point.

(b) For purposes of this subdivision, a certificate is prominently displayed if it is displayed so that it may be viewed from the front and rear of the motor vehicle by hanging it from the rearview mirror attached to the front windshield of the motor vehicle or, in the case of a motorcycle or a motorized bicycle, is secured to the vehicle. If there is no rearview mirror or if the certificate holder's disability precludes placing the certificate on the mirror, the certificate must be displayed on the dashboard of the vehicle. No part of the certificate may be obscured.

(c) Notwithstanding paragraph (a), clauses (1), (2), and (3), this section does not permit parking in areas prohibited by sections 169.32 and 169.34, in designated no parking spaces, or in parking spaces reserved for specified purposes or vehicles. A local governmental unit may, by ordinance, prohibit parking on any street or highway to create a fire lane, or to accommodate heavy traffic during morning and afternoon rush hours and these ordinances also apply to physically disabled persons.

EFFECTIVE DATE. This section is effective January 1, 2017, if the commissioner of public safety has advised the revisor of statutes that the cost of the requirements of the section can be absorbed within existing appropriations from the vehicle services operating account in the special revenue fund."

Page 217, after line 8, insert:

"Sec. 13. Minnesota Statutes 2014, section 169.345, subdivision 3, is amended to read:

Subd. 3. **Identifying certificate.** (a) The commissioner shall issue (1) immediately, a permit valid for 30 days if the person is eligible for the certificate issued under this section and (2) an identifying certificate for a vehicle described in section 168.021, subdivision 1, paragraph (a), when a physically disabled applicant submits proof of physical disability under subdivision 2a. The commissioner shall design separate certificates for persons with permanent and temporary disabilities that can be readily distinguished from each other from outside a vehicle at a distance of 25 feet or, in the case of a motorcycle or a motorized bicycle, can be readily secured to the motorcycle or motorized bicycle. An applicant may be issued up to two certificates if the applicant has not been issued disability plates under section 168.021.

(b) The operator of a vehicle displaying a certificate has the parking privileges provided in subdivision 1 only while the vehicle is actually parked while transporting a physically disabled person.

(c) The commissioner shall cancel all certificates issued to an applicant who fails to comply with the requirements of this subdivision.

EFFECTIVE DATE. This section is effective January 1, 2017, if the commissioner of public safety has advised the revisor of statutes that the cost of the requirements of the section can be absorbed within existing appropriations from the vehicle services operating account in the special revenue fund."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Nienow moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 291, delete lines 32 to 34

Page 291, line 35, delete "in high school."

Page 293, lines 18 to 21, delete the new language

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

Senator Jensen moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 37, after line 13, insert:

"Sec. 14. Minnesota Statutes 2014, section 116J.431, subdivision 1, is amended to read:

Subdivision 1. **Grant program established; purpose.** (a) The commissioner shall make grants to counties or cities to provide up to 50 percent of the capital costs of public infrastructure necessary for an eligible economic development project. The county or city receiving a grant must provide for the remainder of the costs of the project, either in cash or in kind. In-kind contributions may include the value of site preparation other than the public infrastructure needed for the project.

(b) The purpose of the grants made under this section is to keep or enhance jobs in the area, increase the tax base, or to expand or create new economic development.

(c) In awarding grants under this section, the commissioner must adhere to the criteria under subdivision 4.

(d) If the commissioner awards a grant for less than 50 percent of the project, the commissioner shall provide the applicant and the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development finance a written explanation of the reason less than 50 percent of the capital costs were awarded in the grant.

Sec. 15. Minnesota Statutes 2014, section 116J.431, subdivision 2, is amended to read:

Subd. 2. **Eligible projects.** An economic development project for which a county or city may be eligible to receive a grant under this section includes:

(1) manufacturing;

(2) technology;

(3) warehousing and distribution;

(4) research and development;

(5) agricultural processing, defined as transforming, packaging, sorting, or grading livestock or livestock products into goods that are used for intermediate or final consumption, including goods for nonfood use; or

(6) industrial park development that would be used by any other business listed in this subdivision even if no business has committed to locate in the industrial park at the time the grant application is made.

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

Sec. 16. Minnesota Statutes 2014, section 116J.431, subdivision 4, is amended to read:

Subd. 4. **Application.** (a) The commissioner must develop forms and procedures for soliciting and reviewing applications for grants under this section. At a minimum, a county or city must include in its application a resolution of the county or city council certifying that the required local match is available. The commissioner must evaluate complete applications for eligible projects using the following criteria:

(1) the project is an eligible project as defined under subdivision 2;

(2) the project ~~will~~ is expected to result in or will attract substantial public and private capital investment and provide substantial economic benefit to the county or city in which the project would be located;

(3) the project is not relocating substantially the same operation from another location in the state, unless the commissioner determines the project cannot be reasonably accommodated within the county or city in which the business is currently located, or the business would otherwise relocate to another state; and

(4) the project is expected to or will create or ~~maintain~~ retain full-time jobs.

(b) The determination of whether to make a grant for a site is within the discretion of the commissioner, subject to this section. The commissioner's decisions and application of the priorities criteria are not subject to judicial review, except for abuse of discretion.

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

Sec. 17. Minnesota Statutes 2014, section 116J.431, subdivision 6, is amended to read:

Subd. 6. **Maximum grant amount.** A county or city may receive no more than \$1,000,000 \$2,000,000 in two years for one or more projects.

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

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Reinert moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 199, line 4, delete "\$185,000" and insert "\$150,000"

Page 209, after line 8, insert:

"Sec. 11. **OIL TRAIN AND PIPELINE SAFETY TRAINING REPORT; APPROPRIATION.**

\$35,000 is appropriated from the general fund in fiscal year 2017 to the commissioner of public safety for a report comparing existing and proposed oil train and pipeline safety training programs and training center locations. The report must analyze existing and proposed training centers to identify each center's resources, assets, and infrastructure; the potential of each center to identify and utilize nonstate resources and partnerships; and the date on which each center, with the assistance of state resources, would begin offering training programs to first responders, emergency managers, and other local and state government officials. The report must be submitted no later than February 1, 2017, to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over public safety policy and finance."

Adjust amounts accordingly

Amend the title accordingly

Senator Dibble moved to amend the Reinert amendment to H.F. No. 2749 as follows:

Page 1, line 17, after the period, insert "This is a onetime appropriation."

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

The question recurred on the adoption of the Reinert amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Rosen moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 531, delete section 32

Page 602, delete lines 23 to 27

Adjust amounts accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 39, as follows:

Those who voted in the affirmative were:

Abeler	Gazelka	Limmer	Pederson	Weber
Anderson	Hall	Miller	Pratt	Westrom
Benson	Hann	Nelson	Rosen	
Chamberlain	Housley	Newman	Ruud	
Dahms	Ingebrigtsen	Nienow	Senjem	
Fischbach	Kiffmeyer	Osmek	Thompson	

Those who voted in the negative were:

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

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

Senator Fischbach moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 527, after line 12, insert:

"Sec. 23. [145.417] LICENSURE OF CERTAIN FACILITIES THAT PERFORM ABORTIONS.

Subdivision 1. License required for facilities that perform ten or more abortions per month.

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

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

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

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

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

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

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

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

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

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

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

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

Subd. 5. Hearing. Prior to any suspension, revocation, or refusal to renew a license, the licensee shall be entitled to notice and a hearing as provided by sections 14.57 to 14.69. At each hearing, the commissioner of health shall have the burden of establishing that a violation described in subdivision 4 has occurred. If a license is revoked, suspended, or not renewed, a new application for license may be considered by the commissioner if the conditions upon which revocation, suspension, or refusal

to renew was based have been corrected and evidence of this fact has been satisfactorily furnished. A new license may be granted after proper inspection has been made and all provisions of this section and Minnesota Rules, chapter 4675, have been complied with and a recommendation for licensure has been made by the commissioner or by an inspector as an agent of the commissioner.

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

Page 602, line 5, delete "4,709,000" and insert "4,741,000"

Page 602, line 10, delete "873,000" and insert "905,000"

Page 604, line 21, delete "873,000" and insert "905,000"

Page 605, after line 15, insert:

"**Licensing Activities.** \$32,000 is from the state government special revenue fund for licensing activities under Minnesota Statutes, section 145.417."

Renumber the sections in sequence and correct the internal references

Adjust amounts accordingly

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Abeler	Fischbach	Kiffmeyer	Nienow	Senjem
Anderson	Gazelka	Koenen	Osmek	Sparks
Benson	Hall	Limmer	Pederson	Stumpf
Chamberlain	Hann	Miller	Pratt	Thompson
Dahms	Housley	Nelson	Rosen	Weber
Eken	Ingebrigtsen	Newman	Ruud	Westrom

Those who voted in the negative were:

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

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

Senator Fischbach moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 96, after line 11, insert:

"Sec. 20. **COLD SPRING WATER APPROPRIATION PERMITS; REPORT.**

(a) The commissioner of natural resources shall amend the city of Cold Spring's water appropriation permit to allow an increase in the city's water withdrawal of 100 million gallons per year from city wells 4, 5, and 6, provided a combined reduction of ten million gallons per year is made from city well 3 or water appropriations under any permits held by brewing companies in the Cold Spring Creek area. The city and any other permit holder with permit modifications made under this section must comply with all existing reporting requirements and demonstrate that increased pumping does not result in violations of the Safe Drinking Water Act. The increases under this section are available on an interim basis, not to exceed five years, to allow the city to establish a long-term water supply solution for the city and area businesses.

(b) The commissioner must conduct necessary monitoring of stream flow and water levels and develop a groundwater model to determine the amount of water that can be sustainably pumped in the area of Cold Spring Creek for area businesses, agriculture, and city needs. Beginning July 1, 2017, the commissioner must submit an annual progress report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources. The commissioner must submit a final report by January 15, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Reinert moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 21, after line 23, insert:

"Sec. 20. **UNIVERSITY OF MINNESOTA BUDGET ALLOCATION REPORT.**

The Board of Regents of the University of Minnesota shall report by February 1, 2017, to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education finance on the factors it considers when allocating funds to system campuses. The report must specifically, without limitation, address the following questions:

(1) what circumstances would lead the university to adopt an alternate budget model to the Resource Responsibility Center (RRC) model for a system campus;

(2) what were the rationale and factors considered for the initial base budget allocation to system campuses when the RRCs was first established; and

(3) what factors would lead the university to consider adjusting the initial base allocation model."

The motion prevailed. So the amendment was adopted.

Senator Rest moved to amend H.F. No. 2749, as amended pursuant to Rule 45, adopted by the Senate April 27, 2016, as follows:

(The text of the amended House File is identical to S.F. No. 2356.)

Page 185, after line 33, insert:

"Sec. 25. ALLOCATING SENATE SPACE IN THE STATE OFFICE BUILDING TO THE REVISOR OF STATUTES; APPROPRIATION.

Subdivision 1. **State Office Building space allocation.** The 5,000 square feet of the first floor space in the State Office Building allocated to the senate in the 2003 space allocation agreement entered into by the house of representatives, the senate, and the governor is allocated to the revisor of statutes.

Subd. 2. **Lease cancellation.** Within five days of the effective date of this section, the commissioner of administration shall give notice to terminate the lease for the space at 525 Park Avenue, St. Paul, that is occupied by the revisor of statutes. The termination shall be effective 30 days after the notice.

Subd. 3. **Cancellation; appropriation.** The amount saved in fiscal years 2016 and 2017, under subdivisions 1 and 2, estimated at \$56,683, by allocating the space in the State Office Building to the revisor of statutes is canceled on the effective date of this section from the general fund appropriation to the Legislative Coordinating Commission in Laws 2015, chapter 77, article 1, section 4. The same amount is appropriated from the general fund in fiscal year 2016 to the commissioner of administration to remodel, furnish, and equip the space in the State Office Building as needed to accommodate the revisor of statutes. This appropriation is available until June 30, 2017.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Sheran raised a point of order pursuant to Senate Rule 36.2. The President ruled the point of order well taken.

Senator Osmek moved to amend the Rest amendment to H.F. No. 2749 as follows:

Page 1, line 7, before "The" insert "At the direction of the senate minority leader,"

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

The question recurred on the adoption of the Rest amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

H.F. No. 2749 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 39 and nays 24, as follows:

Those who voted in the affirmative were:

Bakk
Bonoff

Carlson
Champion

Clausen
Cohen

Dahle
Dibble

Dziedzic
Eaton

Eken	Hoffman	Lourey	Saxhaug	Sparks
Fischbach	Jensen	Marty	Scalze	Stumpf
Franzen	Johnson	Nelson	Schmit	Tomassoni
Goodwin	Kent	Pappas	Sheran	Wiger
Hawj	Koenen	Reinert	Sieben	Wiklund
Hayden	Latz	Rest	Skoe	

Those who voted in the negative were:

Abeler	Gazelka	Kiffmeyer	Osmek	Senjem
Anderson	Hall	Limmer	Pederson	Thompson
Benson	Hann	Miller	Pratt	Weber
Chamberlain	Housley	Newman	Rosen	Westrom
Dahms	Ingebrigtsen	Nienow	Ruud	

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

MEMBERS EXCUSED

Senator Ortman was excused from the Session of today. Senator Pratt was excused from the Session of today from 8:30 to 11:05 a.m. Senator Metzen was excused from the Session of today from 8:30 to 11:05 a.m. and at 5:00 p.m. Senator Carlson was excused from the Session of today from 8:30 a.m. to 12:00 noon. Senator Franzen was excused from the Session of today from 10:45 to 11:00 a.m. Senator Rosen was excused from the Session of today from 11:00 a.m. to 12:00 noon. Senator Brown was excused from the Session of today at 1:15 p.m. Senator Champion was excused from the Session of today from 1:00 to 2:15 p.m. Senator Torres Ray was excused from the Session of today at 5:00 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Monday, May 2, 2016. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

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