

ONE HUNDREDTH DAY

St. Paul, Minnesota, Monday, May 16, 2016

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rabbi David Steinberg.

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

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 Senate Files, herewith returned: S.F. Nos. 2315 and 3262.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 12, 2016

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 3469, 3588, 3699, 1372, 2607, 3142 and 3925.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 12, 2016

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 3469: A bill for an act relating to crime; modifying crime and increasing sentence of interfering with a body or scene of death; appropriating money; amending Minnesota Statutes 2014, section 609.502, subdivision 1, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3213, now on General Orders

H.F. No. 3588: A bill for an act relating to transportation; governing certain motor vehicle weight limits; providing for an increase in weight limits for certain vehicles powered by natural gas; making technical changes; amending Minnesota Statutes 2014, section 169.824, subdivision 2, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3181, now on General Orders.

H.F. No. 3699: A bill for an act relating to local government licensing authority; allowing specific licenses to be issued.

Referred to the Committee on Commerce.

H.F. No. 1372: A bill for an act relating to civil law; providing trusts for animal care; modifying certain probate provisions; enacting the Revised Uniform Fiduciary Access to Digital Assets Act; clarifying certain provisions for receiverships and assignments for the benefit of creditors; providing for a short form of assignment for recording with a deed to transfer real property; updating references throughout Minnesota Statutes to include limited liability companies under the Minnesota Revised Uniform Limited Liability Company Act; clarifying certain fees; making other business organization clarifying changes; amending Minnesota Statutes 2014, sections 5.001, subdivision 2; 5.25, subdivisions 1, 3; 115D.03, subdivision 6a; 116J.395, subdivision 3; 211B.15, subdivision 1; 216B.1612, subdivision 2; 302A.651, subdivision 4; 308B.005, subdivision 18; 319B.02, subdivisions 10, 12; 322C.0201, subdivision 4; 322C.0205, subdivision 1; 322C.0208; 322C.1011, subdivisions 1, 2; 484.73, subdivision 2; 524.1-201; 524.2-102; 524.2-202; 524.2-301; 524.2-403; 524.2-404; 524.2-606; 524.3-406; 524.3-1201; 524.3-1203, subdivision 5; 559.17, subdivision 2; 576.22; 576.29, subdivision 1; 576.30; 576.45, subdivision 3; 576.47; 577.12; 577.15; Minnesota Statutes 2015 Supplement, sections 5.25, subdivision 5; 124E.05, subdivision 1; 302A.471, subdivision 1; 322C.0105, subdivision 1a; 322C.0407, subdivision 4; 322C.1007, subdivision 1; 501C.0110; 501C.0402; 501C.0409; proposing coding for new law in Minnesota Statutes, chapters 501C; 524; proposing coding for new law as Minnesota Statutes, chapter 521A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1196, now on General Orders.

H.F. No. 2607: A bill for an act relating to human services; modifying certain nursing facilities requirements; amending Minnesota Statutes 2014, section 144A.071, subdivisions 4c, 4d; Minnesota Statutes 2015 Supplement, section 256B.441, subdivisions 13, 53.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2325, now on General Orders.

H.F. No. 3142: A bill for an act relating to health; amending provisions for the statewide trauma system, home care, hearing instrument dispensers, Zika preparedness, and food, beverage, and lodging establishments; amending Minnesota Statutes 2014, sections 144.605, subdivision 5; 144.608, subdivision 1; 144A.473, subdivision 2; 144A.475, subdivisions 3, 3b, by adding a subdivision; 144A.4791, by adding a subdivision; 144A.4792, subdivision 13; 144A.4799, subdivisions 1, 3; 144A.482; 144D.01, subdivision 2a; 144G.03, subdivisions 2, 4; 153A.14, subdivisions 2d, 2h; 153A.15, subdivision 2a; 157.15, subdivision 14; 157.16, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2475, now on General Orders.

H.F. No. 3925: A bill for an act relating to Iron Range resources and rehabilitation; modifying duties of the commissioner; creating a Legislative-Citizen Commission; providing legislative oversight; modifying appropriations and distributions; making conforming changes; requiring a study; appropriating money; amending Minnesota Statutes 2014, sections 116J.423, subdivision 1; 116J.424; 298.001, by adding a subdivision; 298.018, subdivision 1; 298.17; 298.22; 298.221; 298.2211, subdivisions 3, 6; 298.2213; 298.2214, subdivision 2; 298.223; 298.227; 298.27; 298.28, subdivisions 7, 7a, 9c, 9d, 11; 298.292, subdivision 2; 298.294; 298.296; 298.2961; 298.297; 298.298; 298.46.

Senator Rest, designee of the Chair of the Committee on Rules and Administration, moved that H.F. No. 3925 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Senator Rest moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

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

H.F. No. 1333 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.
1333	3420				

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. 2552 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.
2552	2567				

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. 2553 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.
2553	2568				

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. 2625 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.
2625	2515				

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. 3590 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.
3590	2667				

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 Sparks from the Committee on Jobs, Agriculture and Rural Development, to which were referred the following appointments:

WORKERS' COMPENSATION COURT OF APPEALS

Gary M. Hall
David A. Stofferahn
Deborah K. Sundquist

Reports the same back with the recommendation that the appointments be confirmed.

Senator Rest moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred the following appointment:

DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT
COMMISSIONER
Shawntera Hardy

Reports the same back with the recommendation that the appointment be confirmed.

Senator Rest moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1333, 2552, 2553, 2625 and 3590 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Abeler, Housley, Newman, Franzen and Hoffman introduced—

S.F. No. 3619: A bill for an act relating to criminal justice; providing for speedy trials for child victims of crime; amending Minnesota Statutes 2014, section 611A.033.

Referred to the Committee on Judiciary.

Senator Franzen introduced—

S.F. No. 3620: A bill for an act relating to health care cost containment; modifying coverage and billing requirements; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2014, section 62K.11.

Referred to the Committee on Health, Human Services and Housing.

Senator Franzen introduced—

S.F. No. 3621: A bill for an act relating to MNsure; modifying MNsure's operations funding; requiring qualifying life events to be processed within certain time periods; requiring improvements to the small business health options program operated by MNsure; directing the commissioner of commerce to study ways to stabilize health plan premiums offered through MNsure; amending Minnesota Statutes 2014, section 62V.05, subdivision 2, by adding subdivisions.

Referred to the Committee on Health, Human Services and Housing.

Senator Franzen introduced—

S.F. No. 3622: A bill for an act relating to education finance; providing funding for a voluntary school social worker aid program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Education.

MOTIONS AND RESOLUTIONS

Senator Abeler introduced –

Senate Resolution No. 280: A Senate resolution recognizing Jacob Baldus of Ramsey, Minnesota, for being a 2016 Leader and Achiever Scholarship recipient.

Referred to the Committee on Rules and Administration.

Senator Pederson introduced –

Senate Resolution No. 281: A Senate resolution congratulating Jackson Graham Hultgren of St. Cloud, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senators Hawj, Pappas, Saxhaug, Hann and Hoffman introduced –

Senate Resolution No. 282: A Senate resolution expressing the sense of the Senate recognizing May 14th as "Minnesota Hmong Memorial Day" for all who have served, died, and suffered in the Secret War in Laos during the Vietnam War in the years 1961-1975.

Referred to the Committee on Rules and Administration.

RECESS

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2548 and 3317.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 13, 2016

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1111: A bill for an act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers; amending Minnesota Statutes 2014, sections 169.444, subdivisions 2, 7, by adding subdivisions; 169.686, subdivision 1.

Senate File No. 1111 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 13, 2016

Senator Koenen moved that the Senate do not concur in the amendments by the House to S.F. No. 1111, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1425: A bill for an act relating to health; making changes concerning the collection and disposal of legend drugs as pharmaceutical waste; amending Minnesota Statutes 2014, sections 151.01, by adding a subdivision; 151.37, subdivisions 6, 7, by adding a subdivision; Minnesota Statutes 2015 Supplement, section 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 152.

Senate File No. 1425 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 13, 2016

CONCURRENCE AND REPASSAGE

Senator Rosen moved that the Senate concur in the amendments by the House to S.F. No. 1425 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1425 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2428: A bill for an act relating to human services; extending the legislative task force on child protection; amending Laws 2015, chapter 71, article 1, section 125.

Senate File No. 2428 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 13, 2016

Senator Sheran moved that the Senate do not concur in the amendments by the House to S.F. No. 2428, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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; creating reimbursement procedures for the University of Minnesota for money from the environment and natural resources trust fund; amending Minnesota Statutes 2014, section 137.025, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116P.

Senate File No. 2963 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 13, 2016

Senator Dziejdzic moved that the Senate do not concur in the amendments by the House to S.F. No. 2963, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2294, 2554, 3384 and 3489.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 13, 2016

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2294: A bill for an act relating to marriage; eliminating waiting period for issuance of a marriage license; amending Minnesota Statutes 2015 Supplement, section 517.08, subdivision 1b.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1753, now on General Orders.

H.F. No. 2554: A bill for an act relating to crime; clarifying military member and adding veterans to offense of impersonation; amending Minnesota Statutes 2014, section 609.475.

Referred to the Committee on Judiciary.

H.F. No. 3384: A bill for an act relating to insurance; making changes to the life insurance reserves; amending Minnesota Statutes 2014, sections 61A.24, subdivision 12, by adding a subdivision; 61A.25.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3230, now on General Orders.

H.F. No. 3489: A bill for an act relating to commerce; modifying minimum solvency requirements for health insurers and fraternal to conform to the accreditation standards of the National Association of Insurance Commissioners; amending Minnesota Statutes 2014, sections 60A.235, subdivision 3; 60A.236; 60A.52, subdivision 1; 64B.42, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3079, now on General Orders.

REPORTS OF COMMITTEES

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

Senator Skoe from the Committee on Taxes, to which was referred

H.F. No. 3281: A bill for an act relating to lawful gambling; providing for raffle boards; amending Minnesota Statutes 2014, sections 297E.02, subdivisions 6a, 7; 349.2125, subdivision 1; 349.2127, subdivisions 2, 3, 4.

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

SECOND READING OF HOUSE BILLS

H.F. No. 3281 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Pappas moved that the name of Senator Marty be added as a co-author to S.F. No. 3064. The motion prevailed.

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. 2772, 3572, 3481, 3001, 2860, 3147, 2665, 2757 and 2474.

SPECIAL ORDER

S.F. No. 2772: A bill for an act relating to local government; making technical changes to Ramsey County human resources statutes; amending Minnesota Statutes 2014, section 383A.289, subdivision 3; repealing Minnesota Statutes 2014, section 383A.295, subdivision 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECONSIDERATION

Having voted on the prevailing side, Senator Marty moved that the vote whereby S.F. No. 3376 failed to pass the Senate on May 12, 2016, be now reconsidered. The motion prevailed. So the vote was reconsidered.

S.F. No. 3376: A bill for an act relating to environment; providing for sulfate effluent permit compliance.

Senator Tomassoni moved that S.F. No. 3376 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 3572: A bill for an act relating to natural resources; modifying prior clean water fund appropriations; appropriating money; amending Laws 2011, First Special Session chapter 6, article 2, sections 3; 5; 7, as amended; Laws 2013, chapter 137, article 2, sections 3; 5; 6, as amended; 7; 8; Laws 2015, First Special Session chapter 2, article 2, sections 3; 5; 7.

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 50 and nays 13, as follows:

Those who voted in the affirmative were:

Abeler	Brown	Clausen	Dahms	Eaton
Bakk	Carlson	Cohen	Dibble	Eken
Bonoff	Champion	Dahle	Dziedzic	Fischbach

Franzen	Johnson	Miller	Ruud	Sparks
Goodwin	Kent	Nelson	Saxhaug	Stumpf
Hann	Koenen	Pappas	Scalze	Tomassoni
Hawj	Latz	Pratt	Schmit	Torres Ray
Hoffman	Limmer	Reinert	Senjem	Weber
Housley	Lourey	Rest	Sheran	Wiger
Jensen	Marty	Rosen	Sieben	Wiklund

Those who voted in the negative were:

Anderson	Gazelka	Kiffmeyer	Ortman	Westrom
Benson	Hall	Newman	Osmek	
Chamberlain	Ingebrigtsen	Nienow	Thompson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3481: A bill for an act relating to criminal justice; modifying the thresholds for certain controlled substance crimes; creating new offenses specific to the possession of marijuana plants; creating a new offense for possessing trace amounts of certain controlled substances; eliminating mandatory minimum sentences for lower level controlled substance crimes; establishing a new account in the state treasury; appropriating money while reducing other appropriations; amending Minnesota Statutes 2014, sections 152.01, subdivision 16a, by adding a subdivision; 152.021; 152.022; 152.023; 152.024; 152.025; 152.026; 152.092; 152.18, subdivision 1; 244.0513, subdivisions 2, 5; 244.09, subdivision 6; 388.051; 609.11, subdivisions 5a, 8; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2014, section 244.0513, subdivision 6.

Senator Latz moved to amend S.F. No. 3481 as follows:

Page 5, line 6, after "paragraph" insert "for a conviction under subdivision 2, paragraph (a), clause (1), (2), or (3),"

Page 5, line 13, delete everything after "so" and insert "; such a sentence"

Page 5, line 14, delete everything before "is"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Senator Ortman imposed a call of the Senate for the balance of the proceedings on S.F. No. 3481. The Sergeant at Arms was instructed to bring in the absent members.

Senator Limmer moved to amend S.F. No. 3481 as follows:

Delete everything after the enacting clause and insert:

"Section 1. MINNESOTA SENTENCING GUIDELINES COMMISSION RECOMMENDATIONS ON CONTROLLED SUBSTANCE OFFENSES REJECTED.

The following modifications proposed by the Minnesota Sentencing Guidelines Commission in its January 15, 2016, report to the legislature are rejected and do not go into effect: those described as 2.A. Non-Legislative Modifications to Controlled Substance Offenses on pages 14 to 17 of the report, and the corresponding language in Appendix 2.2.A. on pages 65 to 81 of the report.

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 Limmer raised a point of order regarding a written communication distributed to members in the chamber. The President ruled the point of order well taken.

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

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

Those who voted in the affirmative were:

Anderson	Gazelka	Jensen	Nienow	Weber
Benson	Hall	Kiffmeyer	Ortman	Westrom
Brown	Hann	Koenen	Osmek	
Dahms	Hoffman	Limmer	Pratt	
Eken	Housley	Miller	Rosen	
Fischbach	Ingebrigtsen	Nelson	Ruud	

Those who voted in the negative were:

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

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

S.F. No. 3481 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 45 and nays 19, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Ruud
Benson	Gazelka	Limmer	Osmek	Weber
Brown	Housley	Miller	Pratt	Westrom
Dahms	Ingebrigtsen	Nienow	Rosen	

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

SPECIAL ORDER

S.F. No. 3001: A bill for an act relating to economic development; making various policy changes; modifying agency programs; modifying the commissioner's promotional authority; modifying workforce development outcomes; creating the Workforce Development Board; amending Minnesota Statutes 2014, sections 116J.035, subdivision 1a; 116J.8738, subdivision 2; 116J.8747, by adding a subdivision; 116J.8748, subdivision 4; Minnesota Statutes 2015 Supplement, sections 116J.8738, subdivision 3; 116L.98, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 116L; repealing Minnesota Statutes 2014, section 116L.665.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2860: A bill for an act relating to energy conservation; providing an exception to heating restrictions in commercial parking facilities; amending Minnesota Statutes 2014, section 216C.20, subdivision 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3147: A bill for an act relating to labor and industry; making housekeeping changes; modifying employment agents, construction codes and licensing, and combative sports; amending Minnesota Statutes 2014, sections 184.38, subdivision 17; 326B.095; 326B.133, subdivision 8; 326B.164, subdivisions 1, 3, 6, 7; 326B.439; 326B.49, subdivision 1; 326B.91, subdivisions 3, 6; 326B.92, subdivision 2; 326B.921, subdivisions 1, 2, 3, 4, 6, 7; 326B.922; 326B.925, subdivision 1; Minnesota Statutes 2015 Supplement, sections 184.41; 326B.13, subdivision 8; 326B.46, subdivision 2; 326B.921, subdivision 5; 341.321; repealing Minnesota Rules, parts 5200.0780; 5226.0100; 5226.0200; 5226.0300.

Senator Schmit moved to amend S.F. No. 3147 as follows:

Page 1, before line 12, insert:

"Section 1. Minnesota Statutes 2015 Supplement, section 181.06, subdivision 2, is amended to read:

Subd. 2. **Payroll deductions.** A written contract may be entered into between an employer and an employee wherein the employee authorizes the employer to make payroll deductions for the purpose of paying union dues, premiums of any life insurance, hospitalization and surgical insurance, group accident and health insurance, group term life insurance, group annuities or contributions to credit unions or a community chest fund, a local arts council, a local science council or a local arts and science council, or Minnesota benefit association, a federally or state registered political action committee, membership dues of a relief association governed by sections 424A.091 to 424A.096 or Laws 2013, chapter 111, article 5, sections 31 to 42, contributions to a nonprofit organization that is tax exempt under section 501(c) of the Internal Revenue Code, or participation in any employee stock purchase plan or savings plan for periods longer than 60 days, including gopher state bonds established under section 16A.645."

Page 5, line 29, strike "Lead pipe,"

Page 5, delete line 30 and insert "and pipe fittings containing not more than eight a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures shall not be used in any"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Senjem moved to amend S.F. No. 3147 as follows:

Page 1, after line 11, insert:

"Section 1. [175.40] NO AUTHORITY FOR RULES REQUIRING SPRINKLERS.

The commissioner shall not adopt rules that require the installation of fire sprinklers, any fire sprinkler system components, or automatic fire-extinguishing equipment or devices in any new or

existing single-family detached dwelling unit. Nothing in this section shall be construed to affect or limit a requirement for smoke or fire detectors, alarms, or their components."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was germane.

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

The roll was called, and there were yeas 41 and nays 22, as follows:

Those who voted in the affirmative were:

Abeler	Eken	Jensen	Ortman	Stumpf
Anderson	Fischbach	Kent	Osmek	Thompson
Bakk	Franzen	Kiffmeyer	Pratt	Tomassoni
Benson	Gazelka	Koenen	Reinert	Weber
Bonoff	Hall	Limmer	Rosen	Westrom
Brown	Hann	Miller	Ruud	
Chamberlain	Hoffman	Nelson	Saxhaug	
Clausen	Housley	Newman	Senjem	
Dahms	Ingebrigtsen	Nienow	Sparks	

Those who voted in the negative were:

Carlson	Dziedzic	Johnson	Scalze	Wiger
Champion	Eaton	Lourey	Schmit	Wiklund
Cohen	Goodwin	Marty	Sheran	
Dahle	Hawj	Pappas	Sieben	
Dibble	Hayden	Rest	Torres Ray	

The motion prevailed. So the amendment was adopted.

S.F. No. 3147 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 54 and nays 9, as follows:

Those who voted in the affirmative were:

Abeler	Dahle	Hoffman	Miller	Senjem
Anderson	Dahms	Housley	Nelson	Sheran
Bakk	Eken	Ingebrigtsen	Newman	Sparks
Benson	Fischbach	Jensen	Nienow	Stumpf
Bonoff	Franzen	Johnson	Ortman	Thompson
Brown	Gazelka	Kent	Osmek	Tomassoni
Carlson	Goodwin	Kiffmeyer	Pratt	Weber
Chamberlain	Hall	Koenen	Reinert	Westrom
Champion	Hann	Latz	Rosen	Wiger
Clausen	Hawj	Limmer	Ruud	Wiklund
Cohen	Hayden	Lourey	Schmit	

Those who voted in the negative were:

Dibble	Eaton	Pappas	Scalze	Torres Ray
Dziedzic	Marty	Rest	Sieben	

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

SPECIAL ORDER

S.F. No. 2665: A bill for an act relating to real estate appraisers; eliminating fingerprinting requirements for licensing; regulating appraiser fees, investigation costs, and appraisal management companies; amending Minnesota Statutes 2014, sections 45.027, subdivision 1; 82B.08, subdivision 2a; 82C.02, subdivisions 3, 4, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 82C.

Senator Jensen moved to amend S.F. No. 2665 as follows:

Page 2, delete section 2

Page 6, line 22, delete "9" and insert "8"

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend S.F. No. 2665 as follows:

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2014, section 82B.08, subdivision 2a, is amended to read:

Subd. 2a. **Criminal history record check; fingerprints.** (a) An applicant for a license must:

(1) consent to a criminal history record check;

(2) submit a fingerprint card in a form acceptable to the commissioner; and

(3) pay the fee required to perform criminal history record checks with the Minnesota Bureau of Criminal Apprehension and the Federal Bureau of Investigation.

(b) The commissioner may contract for the collection and transmission of fingerprints required under this chapter and may order the fee for collecting and transmitting fingerprints to be payable directly to the contractor by the applicant. The commissioner may agree to a reasonable fingerprinting fee to be charged by the contractor.

(c) The commissioner shall submit the applicant's fingerprints, consent, and the required fee to the superintendent of the Bureau of Criminal Apprehension. The superintendent shall perform a check of the state criminal history repository and is authorized to exchange the applicant's fingerprints with the Federal Bureau of Investigation to obtain the national criminal history record. The superintendent shall return the results of the state and national criminal history records checks to the commissioner.

(d) This subdivision applies to an applicant for an initial license or a renewal license, except that an applicant for a renewal license may opt out of submitting a fingerprint card."

Amend the title accordingly

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

S.F. No. 2665 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 51 and nays 12, as follows:

Those who voted in the affirmative were:

Bakk	Eken	Johnson	Reinert	Stumpf
Benson	Fischbach	Kent	Rest	Tomassoni
Bonoff	Franzen	Koenen	Rosen	Torres Ray
Carlson	Gazelka	Latz	Ruud	Weber
Clausen	Goodwin	Lourey	Saxhaug	Westrom
Cohen	Hann	Marty	Scalze	Wiger
Dahle	Hawj	Miller	Schmit	Wiklund
Dahms	Hoffman	Nelson	Sheran	
Dibble	Housley	Ortman	Sieben	
Dziedzic	Ingebrigtsen	Pappas	Skoe	
Eaton	Jensen	Pratt	Sparks	

Those who voted in the negative were:

Abeler	Chamberlain	Limmer	Osmek
Anderson	Hall	Newman	Senjem
Brown	Kiffmeyer	Nienow	Thompson

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

SPECIAL ORDER

S.F. No. 2757: A bill for an act relating to game and fish; providing for northern pike management; requiring rulemaking; requiring a report; amending Minnesota Statutes 2014, section 97C.401, subdivision 2.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2474: A bill for an act relating to human services; positive supports; legislatively approving Minnesota Rules, chapter 9544; making technical changes; amending Minnesota Statutes 2014, sections 245.8251, subdivision 2, by adding a subdivision; 252.275, subdivision 1a; 253B.03, subdivisions 1, 6a; 256B.0659, subdivision 3; 256B.0951, subdivision 5; 256B.097, subdivision 4;

256B.77, subdivision 17; 626.5572, subdivision 2; Minnesota Statutes 2015 Supplement, section 626.556, subdivision 2; repealing Minnesota Statutes 2014, section 245.825, subdivisions 1, 1b.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1036, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1036 is herewith transmitted to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 13, 2016

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1036

A bill for an act relating to health care; modifying provisions related to physician assistants; amending Minnesota Statutes 2014, sections 147A.01, subdivisions 17a, 23; 147A.20, subdivisions 1, 2; repealing Minnesota Statutes 2014, section 147A.01, subdivision 5.

May 5, 2016

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

The Honorable Sandra L. Pappas
President of the Senate

We, the undersigned conferees for H. F. No. 1036 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1036 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 147A.01, subdivision 17a, is amended to read:

Subd. 17a. **Physician-physician assistant delegation agreement.** "Physician-physician assistant delegation agreement" means the document prepared and signed by the physician and physician assistant affirming the supervisory relationship and defining the physician assistant scope of practice. ~~Alternate supervising physicians must be identified on the delegation agreement or a supplemental listing with signed attestation that each shall accept full medical responsibility for the performance, practice, and activities of the physician assistant while under the supervision of the alternate supervising physician.~~ The physician-physician assistant delegation agreement outlines the role of the physician assistant in the practice, describes the means of supervision, and specifies the categories of drugs, controlled substances, and medical devices that the supervising physician delegates to the physician assistant to prescribe. The physician-physician assistant delegation agreement must comply with the requirements of section 147A.20, be kept on file at the address of record, and be made available to the board or its representative upon request.

Sec. 2. Minnesota Statutes 2014, section 147A.01, subdivision 23, is amended to read:

Subd. 23. **Supervising physician.** "Supervising physician" means a Minnesota licensed physician who accepts full medical responsibility for the performance, practice, and activities of a physician assistant under an agreement as described in section 147A.20. ~~The supervising physician who completes and signs the delegation agreement may be referred to as the primary supervising physician. A supervising physician shall not supervise more than five full-time equivalent physician assistants simultaneously. With the approval of the board, or in a disaster or emergency situation pursuant to section 147A.23, a supervising physician may supervise more than five full-time equivalent physician assistants simultaneously.~~

Sec. 3. Minnesota Statutes 2014, section 147A.20, subdivision 1, is amended to read:

Subdivision 1. **Physician-physician assistant delegation agreement.** (a) A physician assistant and supervising physician must sign a physician-physician assistant delegation agreement which specifies scope of practice and manner of supervision as required by the board. The agreement must contain:

- (1) a description of the practice setting;
- (2) a listing of categories of delegated duties;
- (3) a description of supervision type; and

(4) a description of the process and schedule for review of prescribing, dispensing, and administering legend and controlled drugs and medical devices by the physician assistant authorized to prescribe.

(b) The agreement must be maintained by the supervising physician and physician assistant and made available to the board upon request. If there is a delegation of prescribing, administering, and dispensing of legend drugs, controlled substances, and medical devices, the agreement shall include a description of the prescriptive authority delegated to the physician assistant. Physician assistants shall have a separate agreement for each place of employment. Agreements must be reviewed and updated on an annual basis. The supervising physician and physician assistant must maintain the physician-physician assistant delegation agreement at the address of record.

(c) Physician assistants must provide written notification to the board within 30 days of the following:

- (1) name change;
- (2) address of record change; and
- (3) telephone number of record change.

~~(d) Any alternate supervising physicians must be identified in the physician-physician assistant delegation agreement, or a supplemental listing, and must sign the agreement attesting that they shall provide the physician assistant with supervision in compliance with this chapter, the delegation agreement, and board rules.~~

Sec. 4. Minnesota Statutes 2014, section 147A.20, subdivision 2, is amended to read:

Subd. 2. **Notification of intent to Practice location notification.** A licensed physician assistant shall submit a ~~notification of intent to practice~~ location notification to the board ~~prior to beginning within 30 business days of starting practice, changing practice location, or changing supervising physician.~~ The notification shall include the name, business address, and telephone number of the supervising physician and the physician assistant. Individuals who practice without submitting a ~~notification of intent to practice~~ location notification shall be subject to disciplinary action under section 147A.13 for practicing without a license, unless the care is provided in response to a disaster or emergency situation pursuant to section 147A.23.

Sec. 5. Minnesota Statutes 2014, section 147D.05, subdivision 1, is amended to read:

Subdivision 1. **Practice standards.** (a) A licensed traditional midwife shall provide an initial and ongoing screening to ensure that each client receives safe and appropriate care. A licensed traditional midwife shall only accept and provide care to those women who are expected to have a normal pregnancy, labor, and delivery. As part of the initial screening to determine whether any contraindications are present, the licensed traditional midwife must take a detailed health history that includes the woman's social, medical, surgical, menstrual, gynecological, contraceptive, obstetrical, family, nutritional, and drug/chemical use histories. If a licensed traditional midwife determines at any time during the course of the pregnancy that a woman's condition may preclude attendance by a traditional midwife, the licensed traditional midwife must refer the client to a licensed health care provider. As part of the initial and ongoing screening, a licensed traditional midwife must provide or recommend that the client receive the following services, if indicated, from an appropriate health care provider:

- (1) initial laboratory pregnancy screening, including blood group and type, antibody screen, Indirect Coombs, rubella titer, CBC with differential and syphilis serology;
- (2) gonorrhea and chlamydia cultures;

- (3) screening for sickle cell;
- (4) screening for hepatitis B and human immunodeficiency virus (HIV);
- (5) maternal serum alpha-fetoprotein test and ultrasound;
- (6) Rh antibody and glucose screening at 28 weeks gestation;
- (7) mandated newborn screening;
- (8) Rh screening of the infant for maternal RhoGAM treatment; and
- (9) screening for premature labor.

(b) A client must make arrangements to have the results of any of the tests described in paragraph (a) sent to the licensed traditional midwife providing services to the client. The licensed traditional midwife must include these results in the client's record.

Sec. 6. Minnesota Statutes 2014, section 147D.09, is amended to read:

147D.09 LIMITATIONS OF PRACTICE.

(a) A licensed traditional midwife shall not prescribe, dispense, or administer prescription drugs, except as permitted under paragraph (b).

(b) A licensed traditional midwife may administer vitamin K either orally or through intramuscular injection, maternal RhoGAM treatment, postpartum antihemorrhagic drugs under emergency situations, local anesthetic, oxygen, and a prophylactic eye agent to the newborn infant.

(c) A licensed traditional midwife shall not perform any operative or surgical procedures except for suture repair of first- or second-degree perineal lacerations.

Sec. 7. Minnesota Statutes 2015 Supplement, section 147D.13, subdivision 2, is amended to read:

Subd. 2. **Practice report.** (a) A licensed traditional midwife must compile a summary report on each client. The report must include the following:

- (1) vital records;
 - (2) scope of care administered;
 - (3) whether the medical consultation plan was implemented; and
 - (4) any physician or other health care provider referrals made.
- (b) The board or advisory council may review these reports at any time upon request.

Sec. 8. Minnesota Statutes 2014, section 147D.25, subdivision 1, is amended to read:

Subdivision 1. **Membership.** The board shall appoint a five-member Advisory Council on Licensed Traditional Midwifery. ~~One member shall be a licensed physician who has been or is currently consulting with licensed traditional midwives, appointed from a list of names submitted to the board by the Minnesota Medical Association. One member shall be a licensed physician who has been or is currently consulting or collaborating with licensed traditional midwives appointed from a list of names submitted to the board by the Minnesota Council of Certified Professional~~

Midwives or its successors. Three members shall be licensed traditional midwives appointed from a list of names submitted to the board by Midwifery Now and the Minnesota Council of Certified Professional Midwives or their successors. One member shall be a ~~home birth~~ parent of a child born under the care of a licensed traditional midwife appointed from a list of names submitted to the board by Minnesota Families for Midwifery, or its successor.

Sec. 9. Minnesota Statutes 2014, section 148.271, is amended to read:

148.271 EXEMPTIONS.

The provisions of sections 148.171 to 148.285 shall not prohibit:

(1) The furnishing of nursing assistance in an emergency.

(2) The practice of advanced practice, professional, or practical nursing by any legally qualified advanced practice, registered, or licensed practical nurse of another state who is employed by the United States government or any bureau, division, or agency thereof while in the discharge of official duties.

(3) The practice of any profession or occupation licensed by the state, other than advanced practice, professional, or practical nursing, by any person duly licensed to practice the profession or occupation, or the performance by a person of any acts properly coming within the scope of the profession, occupation, or license.

(4) The provision of a nursing or nursing-related service by an unlicensed assistive person who has been delegated or assigned the specific function and is supervised by a registered nurse or monitored by a licensed practical nurse.

(5) The care of the sick with or without compensation when done in a nursing home covered by the provisions of section 144A.09, subdivision 1.

(6) Professional nursing practice or advanced practice registered nursing practice by a registered nurse or practical nursing practice by a licensed practical nurse licensed in another state or territory who is in Minnesota as a student enrolled in a formal, structured course of study, such as a course leading to a higher degree, certification in a nursing specialty, or to enhance skills in a clinical field, while the student is practicing in the course.

(7) Professional or practical nursing practice by a student practicing under the supervision of an instructor while the student is enrolled in a nursing program approved by the board under section 148.251.

(8) Advanced practice registered nursing as defined in section 148.171, subdivisions 5, 10, 11, 13, and 21, by a registered nurse who is licensed and currently registered in Minnesota or another United States jurisdiction and who is enrolled as a student in a formal graduate education program leading to eligibility for certification and licensure as an advanced practice registered nurse.

(9) Professional nursing practice or advanced practice registered nursing practice by a registered nurse or advanced practice registered nurse licensed in another state, territory, or jurisdiction who is in Minnesota temporarily:

(i) providing continuing or in-service education;

(ii) serving as a guest lecturer;

(iii) presenting at a conference; or

(iv) teaching didactic content via distance education to a student located in Minnesota who is enrolled in a formal, structured course of study, such as a course leading to a higher degree or certification in a nursing specialty.

Sec. 10. Minnesota Statutes 2014, section 214.077, is amended to read:

214.077 TEMPORARY LICENSE SUSPENSION; IMMINENT RISK OF SERIOUS HARM.

(a) Notwithstanding any provision of a health-related professional practice act, when a health-related licensing board receives a complaint regarding a regulated person and has probable cause to believe that the regulated person has violated a statute or rule that the health-related licensing board is empowered to enforce, and continued practice by the regulated person presents an imminent risk of serious harm, the health-related licensing board shall issue an order temporarily suspend suspending the regulated person's professional license authority to practice. The temporary suspension order shall take effect upon written notice to the regulated person and shall specify the reason for the suspension, including the statute or rule alleged to have been violated. The temporary suspension order shall take effect upon personal service on the regulated person or the regulated person's attorney, or upon the third calendar day after the order is served by first class mail to the most recent address provided to the health-related licensing board for the regulated person or the regulated person's attorney.

(b) The temporary suspension shall remain in effect until the appropriate health-related licensing board or the commissioner completes an investigation, holds a contested case hearing pursuant to the Administrative Procedure Act, and issues a final order in the matter after a hearing as provided for in this section.

(c) At the time it issues the temporary suspension notice order, the appropriate health-related licensing board shall schedule a disciplinary contested case hearing, on the merits of whether discipline is warranted, to be held before the licensing board or pursuant to the Administrative Procedure Act. The regulated person shall be provided with at least ten days' notice of any contested case hearing held pursuant to this section. The contested case hearing shall be scheduled to begin no later than 30 days after issuance the effective service of the temporary suspension order.

(d) The administrative law judge presiding over the contested case hearing shall issue a report and recommendation to the health-related licensing board no later than 30 days after the final day of the contested case hearing. The health-related licensing board shall issue a final order pursuant to sections 14.61 and 14.62 within 30 days of receipt of the administrative law judge's report and recommendations. Except as provided in paragraph (e), if the health-related licensing board has not issued a final order pursuant to sections 14.61 and 14.62 within 30 days of receipt of the administrative law judge's report and recommendations, the temporary suspension shall be lifted.

(d) (e) If the board has not completed its investigation and issued a final order within 30 days, the temporary suspension shall be lifted, unless the regulated person requests a delay in the disciplinary proceedings for any reason, upon which the temporary suspension shall remain in place until the completion of the investigation: the regulated person requests a delay in the contested case proceedings provided for in paragraphs (c) and (d) for any reason, the temporary suspension shall remain in effect until the health-related licensing board issues a final order pursuant to sections 14.61 and 14.62.

(f) This section shall not apply to the Office of Unlicensed Complementary and Alternative Health Practice established under section 146A.02. The commissioner of health shall conduct temporary suspensions for complementary and alternative health care practitioners in accordance with section 146A.09.

Sec. 11. Minnesota Statutes 2014, section 214.10, subdivision 2, is amended to read:

Subd. 2. **Investigation and hearing.** The designee of the attorney general providing legal services to a board shall evaluate the communications forwarded by the board or its members or staff. If the communication alleges a violation of statute or rule which the board is to enforce, the designee is empowered to investigate the facts alleged in the communication. In the process of evaluation and investigation, the designee shall consult with or seek the assistance of the executive director, executive secretary, or, if the board determines, a member of the board who has been appointed by the board to assist the designee. The designee may also consult with or seek the assistance of any other qualified persons who are not members of the board who the designee believes will materially aid in the process of evaluation or investigation. The executive director, executive secretary, or the consulted board member may attempt to correct improper activities and redress grievances through education, conference, conciliation and persuasion, and in these attempts may be assisted by the designee of the attorney general. If the attempts at correction or redress do not produce satisfactory results in the opinion of the executive director, executive secretary, or the consulted board member, or if after investigation the designee providing legal services to the board, the executive director, executive secretary, or the consulted board member believes that the communication and the investigation suggest illegal or unauthorized activities warranting board action, the person having the belief shall inform the executive director or executive secretary of the board who shall schedule a disciplinary contested case hearing in accordance with chapter 14. Before directing the holding of a disciplinary contested case hearing, the executive director, executive secretary, or the designee of the attorney general shall have considered the recommendations of the consulted board member. Before scheduling a disciplinary contested case hearing, the executive director or executive secretary must have received a verified written complaint from the complaining party. A board member who was consulted during the course of an investigation may participate at the hearing but may not vote on any matter pertaining to the case. The executive director or executive secretary of the board shall promptly inform the complaining party of the final disposition of the complaint. Nothing in this section shall preclude the board from scheduling, on its own motion, a disciplinary contested case hearing based upon the findings or report of the board's executive director or executive secretary, a board member or the designee of the attorney general assigned to the board. Nothing in this section shall preclude a member of the board, executive director, or executive secretary from initiating a complaint.

Sec. 12. Minnesota Statutes 2014, section 214.10, subdivision 2a, is amended to read:

Subd. 2a. **Proceedings.** A board shall initiate proceedings to suspend or revoke a license or shall refuse to renew a license of a person licensed by the board who is convicted in a court of competent jurisdiction of violating section ~~609.224, subdivision 2~~ 609.2231, subdivision 8, ~~paragraph (e)~~, 609.23, 609.231, 609.2325, 609.233, 609.2335, 609.234, 609.465, 609.466, 609.52, or 609.72, subdivision 3.

Sec. 13. Minnesota Statutes 2014, section 214.10, is amended by adding a subdivision to read:

Subd. 14. **Complementary and alternative health care practitioners.** This section shall not apply to complementary and alternative health care practitioners practicing under chapter 146A.

Complaints and disciplinary actions against complementary and alternative health care practitioners shall be conducted in accordance with chapter 146A.

Sec. 14. Minnesota Statutes 2014, section 214.32, subdivision 6, is amended to read:

Subd. 6. **Duties of a participating board.** Upon receiving a report from the program manager in accordance with section 214.33, subdivision 3, ~~that a regulated person has been discharged from the program due to noncompliance based on allegations that the regulated person has engaged in conduct that might cause risk to the public, when and if~~ the participating health-related licensing board has probable cause to believe continued practice by the regulated person presents an imminent risk of serious harm, the health-related licensing board shall temporarily suspend the regulated person's professional license until the completion of a disciplinary investigation. The board must complete the disciplinary investigation within 30 days of receipt of the report from the program. If the investigation is not completed by the board within 30 days, the temporary suspension shall be lifted, unless the regulated person requests a delay in the disciplinary proceedings for any reason, upon which the temporary suspension shall remain in place until the completion of the investigation proceed pursuant to the requirements in section 214.077.

Sec. 15. **REVISOR'S INSTRUCTION.**

(a) The revisor of statutes shall change the term "physician's assistant" to "physician assistant" wherever that term is found in Minnesota Statutes and Minnesota Rules.

(b) The revisor of statutes shall change the term "physician ancillary" to "physician assistant" wherever that term is found in Minnesota Statutes and Minnesota Rules.

Sec. 16. **REPEALER.**

Minnesota Statutes 2014, sections 147A.01, subdivision 5; and 147D.17, subdivision 4, are repealed."

Delete the title and insert:

"A bill for an act relating to health care; modifying provisions related to physician assistants, midwives, and nurses; modifying provisions related to license suspension and contested case hearings; amending Minnesota Statutes 2014, sections 147A.01, subdivisions 17a, 23; 147A.20, subdivisions 1, 2; 147D.05, subdivision 1; 147D.09; 147D.25, subdivision 1; 148.271; 214.077; 214.10, subdivisions 2, 2a, by adding a subdivision; 214.32, subdivision 6; Minnesota Statutes 2015 Supplement, section 147D.13, subdivision 2; repealing Minnesota Statutes 2014, sections 147A.01, subdivision 5; 147D.17, subdivision 4."

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

House Conferees: Dave Baker, Tara Mack, Debra Hilstrom

Senate Conferees: Chris A. Eaton, Mary Kiffmeyer, Melissa H. Wiklund

Senator Eaton moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1036 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1036 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, was repassed 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.

APPOINTMENTS

Senator Bakk from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 2760: Senators Hawj, Saxhaug and Weber.

S.F. No. 2428: Senators Sheran, Lourey and Rosen.

S.F. No. 1111: Senators Koenen, Saxhaug and Dahms.

S.F. No. 2963: Senators Dziedzic, Westrom and Hoffman.

Senator Bakk moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Senators Metzen and Pederson were excused from the Session of today. Senator Cohen was excused from the Session of today from 11:00 a.m. to 1:45 p.m. and from 5:00 to 5:55 p.m. Senator Hayden was excused from the Session of today from 11:00 a.m. to 3:15 p.m. and from 5:25 to 5:55 p.m. Senator Hann was excused from the Session of today from 4:45 to 4:55 p.m. Senator Housley was excused from the Session of today from 5:45 to 5:55 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Tuesday, May 17, 2016.
The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate