

## NINETEENTH DAY

St. Paul, Minnesota, Wednesday, February 22, 2017

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

**CALL OF THE SENATE**

Senator Gazelka 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. Jenni Eagleman.

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	Ingebrigtsen	Lourey	Schoen
Anderson, B.	Eaton	Isaacson	Marty	Senjem
Anderson, P.	Eichorn	Jasinski	Mathews	Simonson
Bakk	Eken	Jensen	Miller	Sparks
Benson	Fischbach	Johnson	Nelson	Tomassoni
Carlson	Franzen	Kent	Newman	Torres Ray
Chamberlain	Frentz	Kiffmeyer	Newton	Utke
Champion	Gazelka	Klein	Osmek	Weber
Clausen	Goggin	Koran	Pappas	Westrom
Cohen	Hall	Laine	Pratt	Wiger
Cwodzinski	Hawj	Lang	Relph	Wiklund
Dahms	Hayden	Latz	Rest	
Dibble	Hoffman	Limmer	Rosen	
Draheim	Housley	Little	Ruud	

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. 30.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted February 20, 2017

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

**H.F. No. 30:** A bill for an act relating to liquor; permitting off-sale intoxicating liquor sales on Sunday; amending Minnesota Statutes 2016, section 340A.504, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1086.

### REPORTS OF COMMITTEES

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

**Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred**

**S.F. No. 359:** A bill for an act relating to human services; adding individualized home supports to home and community-based services; modifying home and community-based services setting requirements and licensing requirements; modifying planning and case management requirements under certain home and community-based services waivers; modifying child foster care background studies; amending Minnesota Statutes 2016, sections 245C.03, subdivision 1; 245C.04, subdivision 1; 245C.05, subdivision 2a; 245C.10, subdivision 9; 245C.17, subdivisions 5, 6; 245C.21, subdivision 1a; 245C.23, subdivision 2; 245D.02, subdivision 36, by adding a subdivision; 245D.03, subdivision 1; 245D.04, subdivision 3; 245D.071, subdivision 3; 245D.09, subdivisions 4, 5a; 245D.11, subdivision 4; 245D.24, subdivision 3; 256B.0911, subdivision 3a; 256B.092, subdivision 1a; 256B.49, subdivision 13; 256B.4913, by adding a subdivision; 256B.4914, subdivisions 3, 5, 8, 16.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Report adopted.

**Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred**

**S.F. No. 595:** A bill for an act relating to human services; allowing interactive video for targeted case management; amending Minnesota Statutes 2016, sections 256B.0621, subdivision 10; 256B.0625, subdivision 20, by adding a subdivision; 256B.0924, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 841:** A bill for an act relating to agriculture; establishing a shrimp production incentive program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41A.

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

Page 1, line 19, delete "2035" and insert "2030"

Page 2, after line 28, insert:

"Subd. 6. **Report.** By January 15 each year, the commissioner shall report on the program under this section to the legislative committees with jurisdiction over agricultural policy and finance. The report shall include information on production and incentive expenditures under the program."

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "requiring reports;"

And when so amended the bill do pass and be re-referred to the Committee on Agriculture, Rural Development, and Housing Finance. Amendments adopted. Report adopted.

**Senator Gazelka from the Committee on Rules and Administration, to which was referred under Rule 21, together with the committee report thereon,**

**S.F. No. 580:** A bill for an act relating to employment; providing uniformity for employment mandates on private employers; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the report from the Committee on Local Government, shown in the Journal for February 15, 2017, be adopted; that committee recommendation being:

"the bill do pass". Report adopted.

**Senator Miller from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred**

**S.F. No. 578:** A bill for an act relating to construction codes; modifying the definition of townhouse; amending Minnesota Statutes 2016, section 326B.103, by adding a subdivision.

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

Page 1, after line 12, insert:

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

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 737:** A bill for an act relating to environment; providing for compliance with effluent limitations under certain conditions; requiring rulemaking.

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

Delete everything after the enacting clause and insert:

"Section 1. **RULEMAKING; EFFLUENT LIMITATION COMPLIANCE.**

(a) The commissioner of the Pollution Control Agency shall amend Minnesota Rules, part 7001.0150, subpart 2, item A, by inserting the following:

"For a municipality that constructs a publicly owned treatment works facility to comply with a new or modified effluent limitation, compliance with any new or modified effluent limitation adopted after construction begins that would require additional capital investment is required no sooner than 16 years after the date of initiation of operation of the facility."

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388."

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 672:** A bill for an act relating to environment; modifying public comment period requirements for draft impaired waters list; providing process to challenge impaired waters lists; requiring notice to publicly owned wastewater treatment facility applicants; amending Minnesota Statutes 2016, section 114D.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Report adopted.

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 920:** A bill for an act relating to real property; common interest communities; authorizing electronic delivery of cancellations of sale or resale; amending Minnesota Statutes 2016, sections 515B.4-106; 515B.4-108.

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 2016, section 515B.4-106, is amended to read:

**515B.4-106 PURCHASER'S RIGHT TO CANCEL.**

(a) A person required to deliver a disclosure statement pursuant to section 515B.4-101(b) shall provide at least one of the purchasers of the unit with a copy of the disclosure statement and all amendments thereto before conveyance of the unit. If a purchaser is not given a disclosure statement more than ten days before execution of the purchase agreement, the purchaser may, before conveyance, cancel the purchase agreement within ten days after first receiving the disclosure statement. If a purchaser is given the disclosure statement more than ten days before execution of the purchase agreement, the purchaser may not cancel the purchase agreement pursuant to this section. The ten-day rescission period may be modified or waived, in writing, by agreement of the purchaser of a unit only after the purchaser has received and had an opportunity to review the disclosure statement. The person required to deliver a disclosure statement may not condition the sale of the unit on the purchaser agreeing to modify or waive the purchaser's ten-day right of rescission, may not contractually obligate the purchaser to modify or waive the purchaser's ten-day right of rescission, and may not include a modification or waiver of the ten-day right of rescission in any purchase agreement for the unit. To be effective, a modification or waiver of a purchaser's ten-day right of rescission must be evidenced by an instrument separate from the purchase agreement signed by the purchaser more than three days after the purchaser receives the disclosure statement.

(b) If an amendment to the disclosure statement materially and adversely affects a purchaser, then the purchaser shall have ten days after delivery of the amendment to cancel the purchase agreement in accordance with this section. The ten-day rescission period may be modified or waived, in writing, by agreement of the purchaser of a unit only after the purchaser has received and had an opportunity to review the amendment. To be effective, a modification or waiver of a purchaser's ten-day right of rescission under this section must be evidenced by a written instrument separate from the purchase agreement signed by the purchaser more than three days after the purchaser receives the amendment.

(c) If a purchaser elects to cancel a purchase agreement pursuant to this section, the purchaser may do so by giving the seller or the seller's agent notice thereof pursuant to section 515B.1-115 or, if the seller or the seller's agent has provided an electronic address at which the seller or seller's agent agrees to receive electronic communication, as defined in section 317A.011, subdivision 7a, by electronic communication sent to that address. Cancellation is without penalty, and all payments made by the purchaser before cancellation shall be refunded promptly. Notwithstanding anything in this section to the contrary, the purchaser's cancellation rights under this section terminate upon the purchaser's acceptance of a conveyance of the unit.

(d) If a declarant obligated to deliver a disclosure statement fails to deliver to the purchaser a disclosure statement which substantially complies with this chapter, the declarant shall be liable to the purchaser in the amount of \$5,000, in addition to any damages or other amounts recoverable under this chapter or otherwise. Any action brought under this subsection shall be commenced within the time period specified in section 515B.4-115, subsection (a).

Sec. 2. Minnesota Statutes 2016, section 515B.4-108, is amended to read:

**515B.4-108 PURCHASER'S RIGHT TO CANCEL RESALE.**

(a) Unless a purchaser is given the information required to be delivered by section 515B.4-107, more than ten days prior to the execution of the purchase agreement for the unit the purchaser may, prior to the conveyance, cancel the purchase agreement within ten days after receiving the information. The ten-day rescission period may be modified or waived, in writing, by agreement of the purchaser of a unit only after the purchaser has received and had an opportunity to review the information required to be delivered by section 515B.4-107. The person required to deliver the information required to be delivered by section 515B.4-107 may not condition the sale of the unit on the purchaser agreeing to modify or waive the purchaser's ten-day right of rescission, may not contractually obligate the purchaser to modify or waive the purchaser's ten-day right of rescission, and may not include a modification or waiver of the ten-day right of rescission in any purchase agreement for the unit. To be effective, a modification or waiver of a purchaser's ten-day right of rescission must be evidenced by an instrument separate from the purchase agreement signed by the purchaser more than three days after the purchaser receives the resale disclosure certificate.

(b) A purchaser who elects to cancel a purchase agreement pursuant to subsection (a), may do so by ~~hand delivering giving notice thereof or mailing notice by postage prepaid United States mail to the seller or the seller's agent pursuant to section 515B.1-115 or, if the seller or the seller's agent has provided an electronic address at which the seller or seller's agent agrees to receive electronic communication, as defined in section 317A.011, subdivision 7a, by electronic communication sent to that address.~~ Cancellation is without penalty and all payments made by the purchaser shall be refunded promptly."

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 327:** A bill for an act relating to consumer protection; prohibiting the assignment of military pay or benefits; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Page 1, line 10, delete everything after "means" and insert "any of the following:"

Page 1, delete lines 11 and 12 and insert:

"(1) a current or former member of the armed forces of the United States or a reserve component of the armed forces of the United States, who receives pay or benefits from the United States, or any state, for service in the armed forces of the United States or a reserve component of the armed forces of the United States;

(2) the spouse of the member as described in clause (1); and

(3) any individual considered a beneficiary of the military benefits of the member as described in clause (1)."

Page 1, after line 17, insert:

"(b) A person shall not enter into or attempt to enter into any agreement, device, scheme, or other artifice with a military beneficiary, including but not limited to a purchase and sale agreement, that assigns or sells all or a portion of the military beneficiary's military pay or military benefits."

Page 1, line 18, delete "(b)" and insert "(c)" and after "paragraph (a)" insert "or (b)"

Page 1, delete subdivision 3 and insert:

"Subd. 3. **Penalties; remedies.** A person who is found to have violated this section is subject to the penalties and remedies provided in section 8.31. A private action taken to enforce this section pursuant to section 8.31 is in the public interest."

Page 2, line 3, delete everything after "2017"

Page 2, delete line 4 and insert ", for contracts entered into on or after August 1, 2017."

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

### **REPORT OF VOTE IN COMMITTEE**

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Latz amendment to S.F. No. 327.

There were yeas 7 and nays 1, as follows:

Those who voted in the affirmative were:

Senators Hall, Ingebrigtsen, Latz, Limmer, Pappas, Relph, and Schoen.

Those who voted in the negative were:

Senator Anderson, B.

The amendment was adopted.

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 300:** A bill for an act relating to health occupations; authorizing criminal background checks by the Board of Medical Practice; exempting certain physicians from criminal background checks under the Interstate Medical Licensure Compact; amending Minnesota Statutes 2016, section 147.381.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was re-referred**

**S.F. No. 326:** A bill for an act relating to natural resources; allowing certain temporary conditions for wetland replacement for local government roads.

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

Delete everything after the enacting clause and insert:

**"Section 1. WETLAND REPLACEMENT; LOCAL GOVERNMENT ROADS; TEMPORARY CONDITIONS.**

Until the Board of Water and Soil Resources establishes wetland bank credits in all wetland bank service areas that are adequate to replace wetlands for existing public roads under Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m):

(1) to the extent necessary to meet its obligations to replace wetlands drained or filled by public transportation projects on existing roads under Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m), the board must use wetland replacement credits from one wetland service bank area for a public transportation project occurring in another wetland bank service area to the extent permitted under state or federal law; and

(2) draining or filling wetlands to repair, rehabilitate, or replace a previously authorized, currently serviceable existing public road to the extent the activity is exempt from replacement requirements under an applicable general permit issued by the United States Army Corps of Engineers under section 404 of the federal Clean Water Act, United States Code, title 33, section 1344, is exempt from wetland replacement requirements under Minnesota Statutes, section 103G.222.

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

**Sec. 2. LOCAL GOVERNMENT ROADS; WETLAND REPLACEMENT PROGRAM; WETLAND CREDIT ACQUISITION; APPROPRIATION.**

\$5,000,000 in fiscal year 2017 is appropriated from the general fund to the Board of Water and Soil Resources to acquire wetland banking credits to replace those wetlands drained or filled as a result of repairing, reconstructing, replacing, or rehabilitating existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m). The board may vary the priority order of Minnesota Statutes, section 103G.222, subdivision 3, paragraph (a), to implement an in-lieu fee agreement approved by the United States Army Corps of Engineers under section 404 of the Clean Water Act. The purchase price paid for acquiring wetland credits must be determined by the board. The board may enter into agreements with the federal government, other state agencies, political subdivisions, nonprofit organizations, fee title owners, or other qualified private entities to acquire wetland replacement credits in accordance with Minnesota Rules, chapter 8420. This is a onetime appropriation and is available until June 30, 2019.

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

Amend the title as follows:



Page 1, line 3, after "roads" insert "; appropriating money for wetland replacement credits for local government roads"

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

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 692:** A bill for an act relating to local government; modifying the Cloquet Area Fire and Ambulance Taxing District; amending Laws 2009, chapter 88, article 2, section 46, subdivisions 1, as amended, 2, 3, as amended, 4, 5.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes. Report adopted.

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 592:** A bill for an act relating to counties; providing a process for making the county auditor-treasurer appointive in Pine County.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Report adopted.

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 1012:** A bill for an act relating to counties; providing a process for making the office of county recorder appointive in Stearns County.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Report adopted.

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 1020:** A bill for an act relating to local government; eliminating the cap on spending for purchase of awards and trophies; amending Minnesota Statutes 2016, section 471.15.

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

Page 1, after line 21, insert:

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

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

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 261:** A bill for an act relating to counties; providing a process for making the office of county recorder appointive in Benton County.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Report adopted.

**Senator Hall from the Committee on Local Government, to which was referred**

**S.F. No. 870:** A bill for an act relating to local government; authorizing cities to spend money on National Night Out and events that foster positive relationships between law enforcement and the community; authorizing fundraising for these purposes; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Page 1, line 13, after "event" insert "or purpose"

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 580, 578, 920, 327, 1020, and 870 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Simonson and Newton introduced--**

**S.F. No. 1227:** A bill for an act relating to education finance; appropriating money for the Starbase MN program.

Referred to the Committee on E-12 Finance.

**Senator Torres Ray introduced--**

**S.F. No. 1228:** A bill for an act relating to taxation; property; authorizing cities to create land-value taxation districts; proposing coding for new law in Minnesota Statutes, chapter 428A.

Referred to the Committee on Taxes.

**Senator Limmer introduced--**

**S.F. No. 1229:** A bill for an act relating to public safety; allowing all peace officers to serve a harassment restraining order; creating short-form notification requirements; amending Minnesota Statutes 2016, section 609.748, subdivisions 3, 3a, 5, by adding subdivisions.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Wiger introduced--**

**S.F. No. 1230:** A bill for an act relating to education; establishing a tiered teacher licensing system; providing for rulemaking.

Referred to the Committee on E-12 Policy.

**Senator Wiger introduced--**

**S.F. No. 1231:** A bill for an act relating to transportation; appropriating money for a pedestrian walkway adjacent to White Bear Lake and marked Trunk Highway 244 in the cities of Dellwood and Mahtomedi.

Referred to the Committee on Transportation Finance and Policy.

**Senators Benson and Hall introduced--**

**S.F. No. 1232:** A bill for an act relating to elections; requiring a candidate to file a petition in certain circumstances; amending Minnesota Statutes 2016, section 204B.11, subdivision 2.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Benson, Pratt, and Newman introduced--**

**S.F. No. 1233:** A bill for an act relating to pupil transportation; requiring a decal on school buses for comments on driving; amending Minnesota Statutes 2016, sections 169.4503, by adding a subdivision; 169.454, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Benson, Housley, Senjem, and Newman introduced--**

**S.F. No. 1234:** A bill for an act relating to capital investment; appropriating money for Interstate Highway 35W and Lake Drive interchange improvements and realignment of West Freeway Drive and Hornsby Street; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Lang, Ingebrigtsen, Schoen, Utke, and Koran introduced--**

**S.F. No. 1235:** A bill for an act relating to game and fish; allowing use of night vision equipment when hunting coyotes; amending Minnesota Statutes 2016, section 97B.086.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Lang introduced--**

**S.F. No. 1236:** A bill for an act relating to capital investment; appropriating money for city of Montevideo flood hazard mitigation grant; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Rosen introduced--**

**S.F. No. 1237:** A bill for an act relating to arts and cultural heritage; appropriating money for Green Giant Museum.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Mathews introduced--**

**S.F. No. 1238:** A bill for an act relating to taxes; authorizing special property tax abatement aid.

Referred to the Committee on Taxes.

**Senator Mathews introduced--**

**S.F. No. 1239:** A bill for an act relating to energy; abolishing prohibition on issuing certificate of need for new nuclear power plant; amending Minnesota Statutes 2016, section 216B.243, subdivision 3b.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senators Eichorn, Bakk, Utke, Ruud, and Tomassoni introduced--**

**S.F. No. 1240:** A bill for an act relating to local government aid; increasing aid for certain county-administered land; amending Minnesota Statutes 2016, section 477A.12, subdivision 1.

Referred to the Committee on Taxes.

**Senators Clausen, Dahms, and Tomassoni introduced--**

**S.F. No. 1241:** A bill for an act relating to education finance; authorizing school boards to adopt policies for certain snow days; authorizing e-learning days for school days with inclement weather; amending Minnesota Statutes 2016, sections 120A.41; 126C.05, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 120A.

Referred to the Committee on E-12 Policy.

**Senators Anderson, P.; Torres Ray; and Clausen introduced--**

**S.F. No. 1242:** A bill for an act relating to higher education; modifying certain concurrent enrollment provisions; requiring the Board of Trustees of the Minnesota State Colleges and Universities to establish a supplemental instruction program; amending Minnesota Statutes 2016, section 124D.09, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 136F.

Referred to the Committee on Higher Education Finance and Policy.

**Senators Limmer, Dahms, Utke, Sparks, and Pappas introduced--**

**S.F. No. 1243:** A bill for an act relating to life insurance; limitation on payments to beneficiaries of persons furthering terrorism; amending Minnesota Statutes 2016, section 61A.09, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senator Fischbach introduced--**

**S.F. No. 1244:** A bill for an act relating to veterans; removing state veterans cemetery burial fee for spouses and dependents of eligible veterans; amending Minnesota Statutes 2016, section 197.236, subdivision 9.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Mathews, Hall, and Laine introduced--**

**S.F. No. 1245:** A bill for an act relating to local government; modifying the requirements for payment of claims; amending Minnesota Statutes 2016, section 471.38; repealing Minnesota Statutes 2016, section 471.391, subdivision 1.

Referred to the Committee on Local Government.

**Senator Schoen introduced--**

**S.F. No. 1246:** A bill for an act relating to health occupations; providing an interstate compact for the recognition of emergency medical services personnel licensure; proposing coding for new law in Minnesota Statutes, chapter 144E.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Newman introduced--**

**S.F. No. 1247:** A bill for an act relating to arts and culture; appropriating money to Wheel and Cog Children's Museum.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Newton and Hoffman introduced--**

**S.F. No. 1248:** A bill for an act relating to capital investment; appropriating money for rail grade separation in Coon Rapids; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Newton and Hoffman introduced--**

**S.F. No. 1249:** A bill for an act relating to capital investment; appropriating money for rail grade separation in Coon Rapids.

Referred to the Committee on Transportation Finance and Policy.

**Senators Limmer; Hoffman; Kiffmeyer; Anderson, B.; and Laine introduced--**

**S.F. No. 1250:** A bill for an act relating to capital investment; appropriating money for modifications to a marked Trunk Highway 610 interchange project; authorizing sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Anderson, P.; Wiklund; Benson; Simonson; and Kiffmeyer introduced--**

**S.F. No. 1251:** A bill for an act relating to state government; establishing a Legislative Commission on Cyber Security; providing legislative appointments; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Chamberlain introduced--**

**S.F. No. 1252:** A bill for an act relating to education finance; modifying the calculation of referendum equalization levy and aid; amending Minnesota Statutes 2016, section 126C.17, subdivision 6.

Referred to the Committee on E-12 Finance.

**Senator Gazelka introduced--**

**S.F. No. 1253:** A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited lands.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Johnson introduced--**

**S.F. No. 1254:** A bill for an act relating to taxation; authorizing the city of East Grand Forks to impose a local sales and use tax.

Referred to the Committee on Taxes.

**Senators Senjem, Pappas, Housley, Rest, and Anderson, P. introduced--**

**S.F. No. 1255:** A bill for an act relating to stadiums; providing for a Major League Soccer stadium in St. Paul; providing certain tax exemptions; amending Minnesota Statutes 2016, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Mathews, Eichorn, and Eken introduced--**

**S.F. No. 1256:** A bill for an act relating to motor vehicles; providing rebates for propane school buses and fueling stations; establishing a rebate program with the Pollution Control Agency; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Mathews and Ingebrigtsen introduced--**

**S.F. No. 1257:** A bill for an act relating to natural resources; authorizing permit for releasing certain invasive carp; amending Minnesota Statutes 2016, section 84D.11, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Tomassoni, Bakk, and Ingebrigtsen introduced--**

**S.F. No. 1258:** A bill for an act relating to game and fish; requiring a person authorized to issue hunting and fishing licenses to issue licenses to certain disabled residents without charging a fee; amending Minnesota Statutes 2016, section 97A.441, subdivision 1.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Anderson, P.; Bakk; Eken; and Chamberlain introduced--**

**S.F. No. 1259:** A bill for an act relating to taxation; petroleum and sales and use; exempting special fuels for certain off-road uses; amending Minnesota Statutes 2016, sections 296A.16, subdivision 2; 297A.68, subdivision 19.

Referred to the Committee on Taxes.

**Senator Nelson introduced--**

**S.F. No. 1260:** A bill for an act relating to human services; requiring county licensing agencies to offer and conduct exit interviews for family child care providers; authorizing a fix-it ticket alternative to a correction order in certain circumstances; amending Minnesota Statutes 2016, section 245A.04, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 245A.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Latz, Schoen, Hayden, Cohen, and Dzedzic introduced--**

**S.F. No. 1261:** A bill for an act relating to public safety; requiring criminal background checks for firearm transfers; excepting certain transfers; amending Minnesota Statutes 2016, sections 609.66, by adding a subdivision; 624.7132, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 2016, sections 609.66, subdivision 1f; 624.7132, subdivision 14.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Latz, Schoen, Hayden, Dzedzic, and Cwodzinski introduced--**

**S.F. No. 1262:** A bill for an act relating to public safety; enabling law enforcement and family members to petition a court to prohibit people from possessing firearms if they pose a significant danger to themselves or others by possessing a firearm; amending Minnesota Statutes 2016, section 624.713, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Hayden, Champion, Schoen, Latz, and Bakk introduced--**

**S.F. No. 1263:** A bill for an act relating to human services; establishing the Taylor Hayden Gun Violence Prevention Act; appropriating money.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Housley and Abeler introduced--**

**S.F. No. 1264:** A bill for an act relating to elections; changing the date of the state primary from August to June; changing the date of primary elections conducted by a political subdivision in certain circumstances; amending Minnesota Statutes 2016, sections 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.28, subdivision 5; 205.065, subdivisions 1, 2; 205A.03, subdivisions 1, 2; 205A.06, subdivision 1a; 205A.11, subdivision 2a; 206.61, subdivision 5; 206.82, subdivision 2.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Kent, Ingebrigtsen, Carlson, Dibble, and Housley introduced--**

**S.F. No. 1265:** A bill for an act relating to public safety; authorizing peace officers to issue citations based on report from work zone flagger; prohibiting wireless communications device use in work zones; amending Minnesota Statutes 2016, sections 169.06, subdivision 4a; 169.475, subdivision 3.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.



**Senator Mathews introduced--**

**S.F. No. 1266:** A bill for an act relating to taxation; individual income; modifying tax rates; updating brackets to current values; amending Minnesota Statutes 2016, section 290.06, subdivisions 2c, 2d.

Referred to the Committee on Taxes.

**Senators Benson, Osmek, and Hall introduced--**

**S.F. No. 1267:** A bill for an act relating to the Metropolitan Council; requiring approval before implementation of the Thrive MSP 2040 metropolitan development guide; requiring revision after local government input; providing for legislative approval of housing-related plans and goals; allowing local governments to reject population and demographic assumptions; amending Minnesota Statutes 2016, sections 473.145; 473.254, subdivisions 2, 3a; 473.857, subdivision 1.

Referred to the Committee on Local Government.

**Senators Benson and Abeler introduced--**

**S.F. No. 1268:** A bill for an act relating to health; removing the commissioner of health's authority to add qualifying medical conditions or delivery forms of medical cannabis; amending Minnesota Statutes 2016, sections 152.22, subdivisions 6, 14; 152.27, subdivision 2; repealing Laws 2014, chapter 311, section 20, as amended.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Dibble introduced--**

**S.F. No. 1269:** A bill for an act relating to climate change; creating legislative Health and Climate Resiliency Commission to develop state strategic plan; appropriating money.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Johnson introduced--**

**S.F. No. 1270:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Dahms introduced--**

**S.F. No. 1271:** A bill for an act relating to commerce; clarifying the authority of the Commerce Fraud Bureau to apply for or execute search warrants; amending Minnesota Statutes 2016, section 626.05, subdivision 2.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Bakk introduced--**

**S.F. No. 1272:** A bill for an act relating to state lands; authorizing the sale of certain state lands bordering public water in Lake County.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Relph introduced--**

**S.F. No. 1273:** A bill for an act relating to capital investment; appropriating money for road and infrastructure improvements in the city of St. Cloud; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Bakk introduced--**

**S.F. No. 1274:** A bill for an act relating to local government; permitting city and town expenditures for city and town historical societies; amending Minnesota Statutes 2016, section 138.053.

Referred to the Committee on Local Government.

**Senator Abeler introduced--**

**S.F. No. 1275:** A bill for an act relating to health care; establishing medical assistance reimbursement rates for doula services; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Utke, Eaton, Eken, and Abeler introduced--**

**S.F. No. 1276:** A bill for an act relating to local governments; appropriating money for onetime grants to certain local governments.

Referred to the Committee on Taxes.

**Senators Weber, Sparks, Lang, and Jasinski introduced--**

**S.F. No. 1277:** A bill for an act relating to agriculture; appropriating money for grants to provide technical assistance and appropriate technology for certain spark ignition motor fuel wholesalers and retailers.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

**Senators Lourey, Wiklund, Eichorn, and Abeler introduced--**

**S.F. No. 1278:** A bill for an act relating to human services; modifying certain child care provisions; amending Minnesota Statutes 2016, sections 119B.011, subdivisions 6, 20, 20a, by adding a subdivision; 119B.02, subdivision 1; 119B.025, subdivision 1, by adding subdivisions; 119B.03, subdivisions 3, 9; 119B.05, subdivision 1; 119B.09, subdivisions 1, 4; 119B.10, subdivision 1, by adding a subdivision; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13, subdivisions 1, 6; 256P.05, subdivision 1; 256P.07, subdivisions 3, 6; proposing coding for new law in Minnesota Statutes, chapter 119B; repealing Minnesota Statutes 2016, section 119B.07.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Housley introduced--**

**S.F. No. 1279:** A bill for an act relating to liquor; providing for off-sale for brew pubs and small brewers; amending Minnesota Statutes 2016, sections 340A.24, subdivision 3; 340A.28; 340A.285.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Jensen, Eken, Lang, Jasinski, and Dibble introduced--**

**S.F. No. 1280:** A bill for an act relating to taxation; petroleum; dedicating revenues from the aviation taxes on gasoline used as a substitute for aviation gasoline to the state airports fund; amending Minnesota Statutes 2016, sections 296A.01, by adding a subdivision; 296A.07, subdivision 4; 296A.09, subdivisions 1, 3, 5, 6; 296A.15, subdivisions 1, 4; 296A.17, subdivisions 1, 2, 3; 296A.18, subdivisions 1, 8; 296A.19, subdivision 1; repealing Minnesota Rules, part 8125.1300, subpart 3.

Referred to the Committee on Taxes.

**Senators Eichorn, Ingebrigtsen, and Pratt introduced--**

**S.F. No. 1281:** A bill for an act relating to education; allowing public school students to attend courses at nonpublic schools; amending Minnesota Statutes 2016, section 120A.22, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senators Hayden, Wiklund, and Hoffman introduced--**

**S.F. No. 1282:** A bill for an act relating to human services; modifying basic sliding fee child care funding priorities and allocation formula; amending Minnesota Statutes 2016, section 119B.03, subdivisions 4, 6.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Newman, Ingebrigtsen, Utke, Eken, and Tomassoni introduced--**

**S.F. No. 1283:** A bill for an act relating to environment; requiring legislative approval of certain water quality standards and rules; suspending certain water quality standards and rules; amending Minnesota Statutes 2016, section 115.03, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Little introduced--**

**S.F. No. 1284:** A bill for an act relating to adoption; modifying provisions governing access to original birth records and other adoption-related information; modifying provisions related to affidavits of disclosure and nondisclosure; providing for a contact preference form; appropriating money; amending Minnesota Statutes 2016, sections 13.10, subdivision 5; 13.465, subdivision 8; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision 1; 259.83, subdivisions 1, 1a, 1b, 3, 4, by adding a subdivision; 259.89; 260C.317, subdivision 4; 260C.637; proposing coding for new law in Minnesota Statutes, chapters 144; 259; repealing Minnesota Statutes 2016, sections 144.212, subdivision 11; 259.89, subdivisions 5, 6.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Abeler and Clausen introduced--**

**S.F. No. 1285:** A bill for an act relating to human services; providing supplemental payments to providers of durable medical equipment and medical supplies; amending Minnesota Statutes 2016, section 256B.766.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Dziedzic, Abeler, and Hall introduced--**

**S.F. No. 1286:** A bill for an act relating to family law; appropriating money for a grant to NorthPoint Health and Wellness Center for coparent services.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Champion and Dziedzic introduced--**

**S.F. No. 1287:** A bill for an act relating to economic development; appropriating money for a grocery store and wellness center in north Minneapolis.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Utke introduced--**

**S.F. No. 1288:** A bill for an act relating to human services; modifying certain provisions governing judicial appeal panel decisions for civil commitment, assertive community treatment and intensive residential treatment services, Minnesota family investment program innovation funds, and appeals and fair hearings for Northstar Care for Children; amending Minnesota Statutes 2016,

sections 253D.28, subdivision 3; 256B.0622, subdivisions 3a, 4; 256J.626, subdivision 5; 256N.28, subdivision 6.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Schoen introduced--**

**S.F. No. 1289:** A bill for an act relating to creditor remedies; providing for the use of the Minnesota minimum wage in garnishment; amending Minnesota Statutes 2016, section 571.922.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Mathews, Fischbach, and Gazelka introduced--**

**S.F. No. 1290:** A bill for an act relating to water; modifying groundwater appropriation permit requirements; modifying well interference claim requirements; amending Minnesota Statutes 2016, sections 103G.223; 103G.271, subdivision 7, by adding a subdivision; 103G.287, subdivisions 1, 4; 103G.289.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Utke introduced--**

**S.F. No. 1291:** A bill for an act relating to human services; modifying provisions governing children and families services, chemical and mental health services, operations, health care, and community supports; making various technical corrections; amending Minnesota Statutes 2016, sections 144D.04, subdivision 2, by adding a subdivision; 245.095; 245.462, subdivisions 6, 11; 245.464, subdivision 2; 245.466, subdivision 2; 245.470, subdivision 2; 245.4871, subdivisions 9a, 14, by adding a subdivision; 245.4875, subdivision 2; 245.488, subdivision 2; 245.735, subdivision 3; 245.8261, subdivision 1; 245A.02, subdivisions 5a, 8, 9, 12, by adding subdivisions; 245A.03, subdivisions 1, 7; 245A.04, subdivisions 2, 4, 6, 7, 10, 14, by adding a subdivision; 245A.05; 245A.07, subdivision 2; 245A.11, by adding subdivisions; 245D.02, subdivision 20; 245D.03, subdivision 1; 245D.04, subdivision 3; 245D.071, subdivisions 1, 3; 245D.09, subdivision 5a; 245D.11, subdivision 4; 245D.24, subdivision 3; 253B.02, subdivision 9; 254B.15, subdivisions 4, 5; 256.01, subdivision 29, by adding a subdivision; 256.045, subdivision 3; 256B.02, subdivision 7; 256B.04, subdivision 21; 256B.055, subdivision 12; 256B.0615; 256B.0616; 256B.0622, subdivisions 2, 2b, 7a; 256B.0623, subdivision 2; 256B.0624, subdivisions 1, 2, 3, 4; 256B.0625, subdivisions 35a, 43, 60a; 256B.064, subdivision 1b; 256B.0651, subdivision 17; 256B.0659, subdivisions 3, 12, 14, 21, 23, 24; 256B.0911, subdivision 3a; 256B.092, subdivisions 1a, 14; 256B.0943, subdivisions 1, 2, 4, 7, 9; 256B.0946, subdivisions 1, 1a, 4, 6; 256B.0947, subdivisions 3a, 7; 256B.49, subdivisions 13, 25; 256B.4912, by adding a subdivision; 256B.4913, by adding a subdivision; 256B.4914, subdivisions 3, 5, 8, 16; 256B.84; 256B.85, subdivision 12b; 256G.01, subdivision 4; 256G.02, subdivision 4; 256G.09, subdivision 2; 256G.10; 256N.02, subdivisions 10, 16, 17, 18; 256N.22, subdivision 1; 256N.23, subdivision 6; 256N.24, subdivisions 1, 8, 11, 12, 14; 256N.28, subdivision 6; 256P.08, subdivision 4; 270B.14, subdivision 1; 626.5572, subdivision 21; proposing coding for new law in Minnesota Statutes, chapters 245; 245A; repealing Minnesota Statutes 2016, sections 119B.125, subdivision 8; 245.469; 245.4879; 256B.0624, subdivisions 4a,

5, 6, 7, 8, 9, 10, 11; 256B.0944; Minnesota Rules, parts 9555.6255; 9555.7100; 9555.7200; 9555.7300; 9555.7600.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Utke introduced--**

**S.F. No. 1292:** A bill for an act relating to human services; modifying provisions governing children and families services, mental health services, and operations; amending Minnesota Statutes 2016, sections 13.46, subdivisions 2, 3; 13.461, subdivision 28; 119B.02, subdivision 6; 144.057, subdivision 1; 245A.02, subdivision 3, by adding a subdivision; 245A.03, subdivision 3; 245A.04, subdivision 1; 245A.07, subdivisions 1, 3; 245A.08, subdivision 3; 245C.02, subdivisions 5, 13b, by adding subdivisions; 245C.05, subdivisions 1, 5; 245C.08, subdivisions 1, 3; 245C.12; 245C.32, subdivisions 1a, 2, 3; 245C.33, subdivision 4; 245C.34, subdivision 4; 245D.10, subdivision 3a; 256.01, subdivisions 18d, 18e; 256.045, subdivisions 3, 4; 256.0451, subdivisions 1, 3, 5, 6, 7, 9, 10, 11, 12, 21; 256.046, subdivision 1; 256.9685, subdivisions 1, 1a; 256B.064, subdivision 2, by adding subdivisions; 256B.0943, subdivision 8; 256D.051, subdivisions 1, 1a, 2, 3, 3a, 3b, 6b, 8, 18; 256J.626, subdivision 5; 256J.751, subdivisions 2, 5, by adding subdivisions; 256P.02, subdivisions 1, 1a; 259.35, subdivision 1; 259.53, subdivision 4; 259.83, subdivision 1a; 260C.101, by adding a subdivision; 260C.171, subdivision 2; 260C.178, subdivision 1; 260C.212, subdivisions 1, 2, by adding a subdivision; 260C.219; 260C.503, subdivision 2; 260C.515, subdivision 4; 260C.605, subdivision 1; 260C.607, subdivision 6; 260C.609; 260C.611; 260C.613, subdivision 6; 260C.615, subdivision 1; 260C.623, subdivision 4; 260C.625; 260C.629, subdivision 2; 393.07, subdivision 10; 518A.41, subdivision 4; 518A.685; 626.556, subdivisions 2, 3, 3c, 3e, 7, 10, 10f, 10m, 11; 626.5561, subdivision 1; 626.558, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256B; 518; repealing Minnesota Statutes 2016, sections 119B.125, subdivision 8; 256J.751, subdivision 1.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Utke introduced--**

**S.F. No. 1293:** A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; adopting department proposals; allowing a forbearance of amounts owed to the special compensation fund; modifying intervention procedures; authorizing rulemaking; amending Minnesota Statutes 2016, sections 176.275, subdivision 1; 176.285; 176.361, subdivisions 2, 3; 176.521, by adding a subdivision; 176.541, subdivisions 1, 8, by adding a subdivision; 176.611, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 2016, section 176.541, subdivision 7.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Hawj, Cwodzinski, Lang, Mathews, and Eaton introduced--**

**S.F. No. 1294:** A bill for an act relating to arts and cultural heritage; appropriating money to construct a public takraw court.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Osmek, Hall, Jasinski, and Rest introduced--**

**S.F. No. 1295:** A bill for an act relating to local government; providing for alternative Web site publication; amending Minnesota Statutes 2016, section 331A.12, subdivision 2, by adding subdivisions.

Referred to the Committee on Local Government.

**Senator Housley introduced--**

**S.F. No. 1296:** A bill for an act relating to economic development; establishing the Office of Economic Equity and Opportunity; amending Minnesota Statutes 2016, section 116J.401, subdivision 2.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Lang, Frentz, Dahms, Sparks, and Dzedzic introduced--**

**S.F. No. 1297:** A bill for an act relating to agriculture; appropriating money for grants to Second Harvest Heartland.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

**Senators Abeler and Ingebrigtsen introduced--**

**S.F. No. 1298:** A bill for an act relating to health; restricting ability of housing with services establishments to require residents to change living units; proposing coding for new law in Minnesota Statutes, chapter 144D.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Marty, Eaton, Klein, and Hayden introduced--**

**S.F. No. 1299:** A bill for an act relating to health care; establishing a Primary Care Case Management program; authorizing direct state payments to health care providers; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Eichorn and Tomassoni introduced--**

**S.F. No. 1300:** A bill for an act relating to education finance; extending the availability of the Education Innovation Partners Cooperative Center appropriation; amending Laws 2016, chapter 189, article 25, section 62, subdivision 7.

Referred to the Committee on E-12 Finance.

**Senators Eichorn and Tomassoni introduced--**

**S.F. No. 1301:** A bill for an act relating to capital investment; appropriating money for sanitary and storm sewer facilities in Coleraine, Bovey, and Taconite; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Abeler, Jensen, and Wiklund introduced--**

**S.F. No. 1302:** A bill for an act relating to human services; establishing a family medical account program; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Anderson, P.; Fischbach; Gazelka; Clausen; and Draheim introduced--**

**S.F. No. 1303:** A bill for an act relating to higher education; adjusting state grant program parameters; amending Minnesota Statutes 2016, sections 136A.101, subdivision 5a; 136A.121, subdivision 5.

Referred to the Committee on Higher Education Finance and Policy.

**Senators Limmer; Anderson, P.; Relph; and Sparks introduced--**

**S.F. No. 1304:** A bill for an act relating to commerce; modifying unclaimed property requirements; requiring reports; appropriating money; amending Minnesota Statutes 2016, section 345.42, subdivision 1, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Pratt and Carlson introduced--**

**S.F. No. 1305:** A bill for an act relating to mass transit; appropriating money for the suburb-to-suburb transit demonstration project.

Referred to the Committee on Transportation Finance and Policy.

**Senators Dzedzic and Champion introduced--**

**S.F. No. 1306:** A bill for an act relating to economic development; authorizing a grant to Hennepin County; appropriating money.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Dzedzic, Champion, and Hayden introduced--**

**S.F. No. 1307:** A bill for an act relating to economic development; authorizing a grant to Hennepin County; appropriating money.



Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Jensen; Benson; Klein; Anderson, P.; and Kiffmeyer introduced--**

**S.F. No. 1308:** A bill for an act relating to human services; requiring the commissioner of human services to establish a Web application to compare prescription drug prices; amending Minnesota Statutes 2016, section 256.01, by adding a subdivision.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Jensen, Goggin, Abeler, Lourey, and Hoffman introduced--**

**S.F. No. 1309:** A bill for an act relating to health; protecting physician-patient relationship by prohibiting noncompete agreements; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Ruud, Ingebrigtsen, Tomassoni, Koran, and Senjem introduced--**

**S.F. No. 1310:** A bill for an act relating to environment; eliminating rulemaking authority pertaining to particulate emissions from silica sand projects; amending Laws 2013, chapter 114, article 4, section 105.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Weber and Gazelka introduced--**

**S.F. No. 1311:** A bill for an act relating to housing; modifying housing trust fund and family homeless prevention and assistance program requirements; establishing a rental assistance program for homeless and highly mobile students; appropriating money; amending Minnesota Statutes 2016, sections 462A.201, subdivision 2; 462A.204, subdivision 8.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

**Senators Housley and Draheim introduced--**

**S.F. No. 1312:** A bill for an act relating to taxation; property; allowing property of less than ten acres to qualify for the green acres program under certain conditions; amending Minnesota Statutes 2016, section 273.111, subdivision 3.

Referred to the Committee on Taxes.

**Senators Lang, Dahms, Benson, Goggin, and Westrom introduced--**

**S.F. No. 1313:** A bill for an act relating to commerce; weights and measures; requiring signage disclosing gasoline tax rate; proposing coding for new law in Minnesota Statutes, chapter 239.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senators Johnson, Draheim, and Eken introduced--**

**S.F. No. 1314:** A bill for an act relating to legal aid; removing the income limit and conforming farmer financial eligibility to the general poverty-based standard; amending Minnesota Statutes 2016, section 480.242, subdivision 2.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Lang introduced--**

**S.F. No. 1315:** A bill for an act relating to workforce development; appropriating money for career education and job skills training; requiring reports.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Lang; Anderson, B.; Jasinski; Little; and Newton introduced--**

**S.F. No. 1316:** A bill for an act relating to the military; modifying uses of Support Our Troops account money; amending Minnesota Statutes 2016, section 190.19, subdivision 2.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Torres Ray, Eaton, Carlson, Tomassoni, and Hawj introduced--**

**S.F. No. 1317:** A bill for an act relating to agriculture; establishing an urban agriculture development pilot grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

**Senators Marty, Torres Ray, Eaton, and Hawj introduced--**

**S.F. No. 1318:** A bill for an act relating to state government; providing a phased-in minimum wage increase; enabling low-income workers to meet basic needs; increasing the working family credit; providing increased child care assistance to all low-income workers and increasing reimbursement rates; increasing MFIP grants; providing funding by closing a tax loophole for high-income individuals with income exempt from Social Security taxes; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2016, sections 119B.02, subdivisions 1, 2; 119B.03, subdivisions 3, 9, 10; 119B.035, subdivisions 1, 2, 4, 5; 119B.05, subdivision 5; 119B.08, subdivision 3; 119B.09, subdivision 7; 119B.10; 119B.11, subdivision 1; 119B.12, subdivision 2; 119B.13, subdivision 1; 119B.15; 119B.24; 177.24, subdivision 1; 256J.24, subdivision 5; 290.0671, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 2016, sections 119B.011, subdivisions 20, 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.05, subdivision 1; 119B.07; 119B.09, subdivisions 3, 4a; 119B.11, subdivision 4; 290.0671, subdivision 7.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Abeler introduced--**

**S.F. No. 1319:** A bill for an act relating to health; prohibiting information blocking by health care providers; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Hayden introduced--**

**S.F. No. 1320:** A bill for an act relating to public safety; allowing individuals 21 years of age and older to consume and use marijuana, marijuana products, and marijuana accessories for personal use; providing for regulation of the cultivation, manufacture, distribution, and sale of marijuana, marijuana products, and marijuana accessories by the commissioner of health and local governments; permitting activities related to marijuana establishments; authorizing rulemaking; authorizing the use of certain not public data; providing criminal penalties; requiring development of a fee schedule and a tax; amending Minnesota Statutes 2016, sections 152.01, by adding subdivisions; 152.027, subdivision 3, by adding a subdivision; 152.092; 152.093; 152.31; 297D.06; proposing coding for new law in Minnesota Statutes, chapter 152; proposing coding for new law as Minnesota Statutes, chapter 152B; repealing Minnesota Statutes 2016, section 152.027, subdivision 4.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Dahms, Pratt, and Gazelka introduced--**

**S.F. No. 1321:** A bill for an act relating to school district insurance; regulating coverage; amending Minnesota Statutes 2016, sections 471.6161, subdivision 8; 471.617, subdivision 2.

Referred to the Committee on E-12 Policy.

**Senators Lang, Limmer, Dahms, Westrom, and Johnson introduced--**

**S.F. No. 1322:** A bill for an act relating to public safety; authorizing commissioner of corrections to house offenders in nonpublicly owned facilities; amending Minnesota Statutes 2016, section 241.01, subdivision 3a.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senators Anderson, B. and Abeler introduced--**

**S.F. No. 1323:** A bill for an act relating to public safety; corrections; creating an ombudsman for inmate mental health services; appropriating money; amending Minnesota Statutes 2016, sections 243.48, subdivision 1; 253B.02, subdivision 10; 641.15, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 13; 241.

Referred to the Committee on Human Services Reform Finance and Policy.

**MOTIONS AND RESOLUTIONS**

Senator Nelson moved that the name of Senator Sparks be added as a co-author to S.F. No. 122. The motion prevailed.

Senator Latz moved that the name of Senator Newman be added as a co-author to S.F. No. 347. The motion prevailed.

Senator Utke moved that his name be stricken as a co-author to S.F. No. 350. The motion prevailed.

Senator Eichorn moved that the name of Senator Eken be added as a co-author to S.F. No. 651. The motion prevailed.

Senator Nelson moved that the names of Senators Rest and Senjem be added as co-authors to S.F. No. 913. The motion prevailed.

Senator Franzen moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 967. The motion prevailed.

Senator Ruud moved that her name be stricken as a co-author to S.F. No. 1005. The motion prevailed.

Senator Eken moved that the name of Senator Wiger be added as a co-author to S.F. No. 1045. The motion prevailed.

Senator Pratt moved that the name of Senator Newton be added as a co-author to S.F. No. 1069. The motion prevailed.

Senator Little moved that the name of Senator Klein be added as a co-author to S.F. No. 1076. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Gazelka be added as a co-author to S.F. No. 1087. The motion prevailed.

Senator Koran moved that the name of Senator Nelson be added as a co-author to S.F. No. 1114. The motion prevailed.

Senator Franzen moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1129. The motion prevailed.

Senator Senjem moved that the name of Senator Rest be added as a co-author to S.F. No. 1134. The motion prevailed.

Senator Anderson, B. moved that the name of Senator Kiffmeyer be added as a co-author to S.F. No. 1139. The motion prevailed.

Senator Housley moved that the name of Senator Schoen be added as a co-author to S.F. No. 1172. The motion prevailed.

Senator Housley moved that the name of Senator Little be added as a co-author to S.F. No. 1187. The motion prevailed.

Senator Sparks moved that his name be stricken as a co-author to S.F. No. 1191. The motion prevailed.

Senator Hayden moved that the name of Senator Klein be added as a co-author to S.F. No. 1211. The motion prevailed.

Senator Kiffmeyer moved that S.F. No. 78 be withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

Senator Rosen moved that S.F. No. 662, No. 1 on the Consent Calendar, be stricken and placed on General Orders. The motion prevailed.

**Senator Hawj introduced --**

**Senate Resolution No. 52:** A Senate resolution recognizing BONES, aka Mike Hartzell, as an upstanding citizen of St. Paul and icon on Rice Street.

Referred to the Committee on Rules and Administration.

**RECESS**

Senator Gazelka moved that the Senate do now recess until 6:30 p.m. The motion prevailed.

The hour of 6:30 p.m. having arrived, the President called the Senate to order.

**MOTIONS AND RESOLUTIONS - CONTINUED**

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

**REPORTS OF COMMITTEES**

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 1031:** A bill for an act relating to corrections; extending permissible claims to include injury or death of person working to pay court-ordered fees and jail fees and injury or death of a person on a sentence-to-service work crew; amending Minnesota Statutes 2016, section 3.739, subdivision 1.

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

Page 1, line 13, delete "in the community" and insert "while not incarcerated"

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 1030:** A bill for an act relating to corrections; providing for a shorter processing time to reimburse sheriff expenses to transport convicted or adjudicated persons; amending Minnesota Statutes 2016, section 243.17, subdivision 1.

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 770:** A bill for an act relating to elections; allowing cities to canvass primary results on the second or third day after the primary; amending Minnesota Statutes 2016, section 205.065, subdivision 5.

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 839:** A bill for an act relating to campaign finance; codifying certain campaign finance and public disclosure rules; repealing obsolete rules; amending Minnesota Statutes 2016, sections 10A.01, subdivision 12; 10A.025, subdivision 1a; 10A.04, by adding a subdivision; 10A.071, subdivision 1; 10A.09, subdivisions 5, 6; 10A.15, by adding a subdivision; 10A.20, subdivision 3; 10A.25, subdivision 2; 10A.27, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Rules, parts 4501.0500, subpart 2; 4503.0200, subpart 6; 4503.0300, subpart 4; 4503.0400, subpart 1; 4503.0500, subparts 5, 8; 4503.0700, subparts 2, 3; 4503.1300, subpart 5; 4503.1400, subpart 9; 4503.1450, subpart 3; 4503.1600; 4503.1700; 4503.1800; 4505.0100, subpart 3; 4505.0900, subparts 2, 3, 4, 5, 6, 7; 4511.0500, subpart 2; 4512.0100, subparts 2, 5; 4525.0210, subpart 1.

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

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 2016, section 10A.01, subdivision 16, is amended to read:

Subd. 16. **Election cycle.** "Election cycle" means the period from January 1 following a general election for an office to December 31 following the next general election for that office, except that "election cycle" for a special election means the period from the date the special election writ is issued to ~~60~~ 15 days after the special election is held. For a regular election, the period from January 1 of the year prior to an election year through December 31 of the election year is the "election segment" of the election cycle. Each other two-year segment of an election cycle is a "nonelection segment" of the election cycle. An election cycle that consists of two calendar years has only an

election segment. The election segment of a special election cycle includes the entire special election cycle.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to any special election cycle that starts on or after that date.

Sec. 3. Minnesota Statutes 2016, section 10A.02, subdivision 13, is amended to read:

Subd. 13. **Rules.** (a) Chapter 14 applies to the board. The board may adopt rules to carry out the purposes of this chapter, if, before June 1, 2017, the board has published a notice of intent to adopt a rule without public hearing under section 14.22, subdivision 1a; 14.389, subdivision 2; or 14.3895, subdivision 3; a dual notice under section 14.22, subdivision 2; or a notice of hearing on a proposed rule under section 14.14.

(b) After May 31, 2017, the board may only adopt rules that (1) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or (2) make changes to rules that do not alter the sense, meaning, or effect of a rule.

(c) In addition to the notice required under chapter 14, the board shall notify the chairs and ranking minority members of the committees or subcommittees in the senate and house of representatives with primary jurisdiction over elections within seven calendar days of taking the following actions:

- (1) publication of a notice of intent to adopt rules or a notice of hearing;
- (2) publication of proposed rules in the State Register;
- (3) issuance of a statement of need and reasonableness; or
- (4) adoption of final rules.

**EFFECTIVE DATE.** This section is effective the day following final enactment for rules for which a notice of intent to adopt a rule without public hearing under Minnesota Statutes, section 14.22, subdivision 1a; 14.389, subdivision 2; or 14.3895, subdivision 3; a dual notice under Minnesota Statutes, section 14.22, subdivision 2; or a notice of hearing on a proposed rule under Minnesota Statutes, section 14.14, was published before June 1, 2017."

Page 1, line 23, strike "to regulate" and insert "on the technical aspects of regulating"

Page 1, line 24, strike "to ensure" and insert "ensuring"

Page 3, line 7, delete "3" and insert "2"

Page 5, after line 13, insert:

"(c) An individual must file the annual statement of economic interest required by this subdivision to cover the period for which the individual served as a public official even though at the time the statement was filed, the individual is no longer holding that office as a public official."

Page 5, line 18, delete "\$200" and insert "\$500"

Page 8, line 1, after "units," insert "and"

Page 8, line 2, delete ", and committees and funds to promote or defeat a ballot question"

Page 8, line 3, after "aggregate" insert "within the year" and delete "in a calendar year" and insert "for legislative or statewide candidates or more than \$500 for ballot questions"

Page 9, line 10, delete "years" and insert "segments" and delete "segment" and insert "cycle"

Page 9, delete section 11

Page 10, after line 17, insert:

"Sec. 14. Minnesota Statutes 2016, section 10A.27, is amended by adding a subdivision to read:

Subd. 16b. **Special election contribution limits.** Election segment contribution limits set forth in this section apply to a special election cycle.

Sec. 15. Minnesota Statutes 2016, section 10A.27, is amended by adding a subdivision to read:

Subd. 16c. **Contribution limits apply independently.** Contribution limits apply independently for election segments, nonelection segments, and special election cycles.

Sec. 16. Minnesota Statutes 2016, section 10A.31, is amended by adding a subdivision to read:

Subd. 7b. **Failure to repay.** A candidate who fails to repay money required by the agreement cannot be paid additional public subsidy funds during the current or future election cycles until the entirety of the unexpended funds and any associated collection fees are either repaid to the board or discharged by court action.

Sec. 17. Minnesota Statutes 2016, section 10A.323, is amended to read:

#### **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

(a) In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must:

(1) between January 1 of the previous year and the cutoff date for transactions included in the report of receipts and expenditures due before the primary election, accumulate contributions from individuals eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor, excluding in-kind contributions:

(i) candidates for governor and lieutenant governor running together, \$35,000;

(ii) candidates for attorney general, \$15,000;

(iii) candidates for secretary of state and state auditor, separately, \$6,000;

(iv) candidates for the senate, \$3,000; and

(v) candidates for the house of representatives, \$1,500;



(2) file an affidavit with the board stating that the principal campaign committee has complied with this paragraph. The affidavit must state the total amount of contributions that have been received from individuals eligible to vote in this state, excluding:

(i) the portion of any contribution in excess of \$50;

(ii) any in-kind contribution; and

(iii) any contribution for which the name and address of the contributor is not known and recorded; and

(3) submit the affidavit required by this section to the board in writing by the deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.

(b) A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must accumulate the contributions specified in paragraph (a) and must submit the affidavit required by this section to the board within five days after the close of the filing period for the special election for which the candidate filed.

(c) A candidate or the candidate's treasurer must be able to electronically file the affidavit required under this section in the same manner as other reports required by this chapter. The board must not require the candidate or candidate's treasurer to notarize the affidavit of contribution."

Page 10, line 19, after "parts" insert "4501.0300, subpart 3;"

Page 10, line 21, delete "4503.1400, subpart 9; 4503.1450, subpart 3" and insert "4503.1400, subparts 8 and 9; 4503.1450, subparts 1 and 3"

Page 10, line 23, delete "subparts 2 and 5" and insert "subparts 2, 4, and 5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first "rules;" insert "amending rulemaking authority of Campaign Finance and Public Disclosure Board; shortening the end date of a special election cycle; requiring electronic submissions of affidavits of contributions;"

Amend the title numbers accordingly

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

**Senator Osmek from the Committee on Energy and Utilities Finance and Policy, to which was referred**

**S.F. No. 1111:** A bill for an act relating to energy; establishing a legislative council to make funding recommendations to the legislature; proposing coding for new law in Minnesota Statutes, chapter 116C.

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

Delete everything after the enacting clause and insert:

"Section 1. [116C.7793] LEGISLATIVE RENEWABLE ENERGY COUNCIL.

Subdivision 1. **Establishment.** (a) The Legislative Renewable Energy Council of 11 members is established in the legislative branch, consisting of:

(1) five members of the house of representatives appointed by the speaker of the house, three of whom are from the majority caucus and two of whom are from the minority caucus; and

(2) five members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, three of whom are from the majority caucus and two of whom are from the minority caucus; and

(3) one representative of the Prairie Island Indian Community appointed by that community's tribal council.

(b) Eight legislative members appointed to the council must represent legislative districts in which at least 60 percent of residents receive electric service from the utility that owns a nuclear powered electric generating plant in this state. No member may be appointed to the council from a legislative district that does not contain any electric retail customers of the utility that owns a nuclear powered electric generating plant in this state. Council members must be geographically balanced to represent the entire electric service area of that utility.

(c) Council members shall elect a chair, a vice-chair, and other officers as determined by the council. The chair may convene meetings as necessary to conduct the duties prescribed by this section.

(d) The Legislative Coordinating Commission may appoint nonpartisan staff and contract with consultants as necessary to support the functions of the council. The council has final approval authority to hire an executive director. The council's administrative expenses are subject to approval by the Legislative Coordinating Commission and appropriation by the legislature.

Subd. 2. **Council recommendations.** (a) The council must make recommendations to the legislature on appropriations from the energy fund account established under section 116C.779 that are consistent with that section. The council's recommendations must be submitted no later than December 15 each year. The council must present its recommendations to the senate and house of representatives committees with jurisdiction over energy policy and finance by February 15 in odd-numbered years, and within the first four weeks of the legislative session in even-numbered years.

(b) Recommendations of the council, including approval of recommendations for expenditures from the energy fund account, require an affirmative vote of at least eight members of the council.

(c) The council must develop and implement a decision-making process that ensures citizens and potential recipients of funds are included at each stage of the process. The process must include

a fair, equitable, and thorough method to review funding requests, and a clear and easily understood process to rank projects.

Subd. 3. **Conflict of interest.** (a) A council member may not be an advocate for or against a council action or vote on any action that may be a conflict of interest. A conflict of interest must be disclosed as soon as it is discovered. The council must follow the policies and requirements related to conflicts of interest developed by the Office of Grants Management under section 16B.98.

(b) For the purposes of this section, a conflict of interest exists when a person has an organizational conflict of interest or a direct financial conflict of interest, and the conflict of interest presents the appearance that it will be difficult for the person to impartially fulfill the person's duties as a member of the council. An organizational conflict of interest exists when a person has an affiliation with an organization subject to council activities that presents the appearance of a conflict between organizational interests and the council member's duties under this section. An organizational conflict of interest does not exist if the person's only affiliation with an organization is being a member of the organization.

Subd. 4. **Audit.** The legislative auditor must audit energy fund account expenditures recommended by the council, including administrative and staffing expenditures, to ensure the money is spent in compliance with all applicable laws.

Subd. 5. **Recipient requirements.** (a) A recipient of a direct appropriation from the energy fund account recommended by the council must compile and submit all information for funded projects or programs, including proposed measurable outcomes required by the council.

(b) A recipient's future eligibility to receive funds from the energy fund account is contingent upon the recipient satisfying all applicable requirements under this section, as well as any additional requirements contained in applicable law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of funds from the energy fund account has not complied with the laws, rules, or regulations under this section or other laws applicable to the recipient, the recipient is not eligible for future funding from the energy fund account until the recipient demonstrates compliance to the legislative auditor.

(c) A recipient of a direct appropriation from the energy fund account pursuant to a recommendation by the council may not receive funds from another direct appropriation from the council until four years after completion of the project funded by the prior direct appropriation.

Subd. 6. **Accomplishment plans.** As a condition of accepting funds appropriated from the energy fund account on the council's recommendation, a recipient must agree to submit an accomplishment plan and periodic accomplishment reports to the council in the form determined by the council. The accomplishment plan must identify the project manager responsible for expending the appropriation and the final product. The accomplishment plan must account for the use of the appropriation, identify outcomes of the expenditure, and include an evaluation of results.

Subd. 7. **Expenditures.** (a) The council's recommendations regarding expenditures from the energy fund account may include but are not limited to research and development projects, demonstration projects, and statewide programs and financial incentives.

(b) If general fund money is transferred to the energy fund account, the council may recommend the expenditure of, and the legislature may appropriate, funds from the account up to the amount of general fund money present in the account for purposes that do not exclusively benefit ratepayers receiving electric service from the utility that owns a nuclear powered generating plant in this state.

Subd. 8. **Administration.** The council shall develop administrative procedures for the submission and review of proposals seeking funding from the council.

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

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

**Senator Osmek from the Committee on Energy and Utilities Finance and Policy, to which was referred**

**S.F. No. 180:** A bill for an act relating to energy; repealing provisions governing hydrogen as an energy source; repealing Minnesota Statutes 2016, sections 216B.8109; 216B.811; 216B.812; 216B.813; 216B.815.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2016, section 216B.813, subdivision 1, is amended to read:

Subdivision 1. **Road map.** The Department of Commerce shall coordinate and administer directly or by contract the Minnesota renewable hydrogen initiative. If the department decides to contract for its duties under this section, it must contract with a nonpartisan, nonprofit organization within the state to develop the road map. The initiative may be run as a public-private partnership representing business, academic, governmental, and nongovernmental organizations. The initiative must oversee the development and implementation of a renewable hydrogen road map, including appropriate technology deployments, that achieve the hydrogen goal of section 216B.8109. The road map should be compatible with the United States Department of Energy's National Hydrogen Energy Roadmap and be based on an assessment of marketplace economics and the state's opportunities in hydrogen, fuel cells, and related technologies, so as to capitalize on strengths. The road map should establish a vision, goals, general timeline, strategies for working with industry, and measurable milestones for achieving the state's renewable hydrogen goal. The road map should describe how renewable hydrogen and fuel cells fit in Minnesota's overall energy system, and should help foster a consistent, predictable, and prudent investment environment. ~~The department must report to the legislature on the progress in implementing the road map by November 1 of each odd-numbered year."~~

Amend the title as follows:

Page 1, line 2, delete everything after "energy;" and insert "eliminating hydrogen road map reporting requirement;"

Amend the title numbers accordingly

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

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was re-referred**

**S.F. No. 93:** A bill for an act relating to human services; modifying criteria for community medical response emergency medical technician services; amending Minnesota Statutes 2016, section 256B.0625, subdivision 60a.

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

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was referred**

**S.F. No. 482:** A bill for an act relating to health licensing; clarifying title protection and grounds for disciplinary action; making technical changes; amending Minnesota Statutes 2016, sections 147.081; 147.091, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 147.

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

Page 2, line 16, after ""M.D.,"" insert "or" and delete the fourth comma and delete "or any combination of these titles"

Page 3, line 21, reinstate the stricken language and before "improper" insert "or"

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

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was referred**

**S.F. No. 815:** A bill for an act relating to health licensing; making the medical faculty license permanent; repealing Minnesota Statutes 2016, section 147.0375, subdivision 7.

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 589:** A bill for an act relating to transportation; designating the bridge over U.S. Highway 52 in the city of Coates as Corporal Benjamin S. Kopp Bridge; amending Minnesota Statutes 2016, section 161.14, by adding a subdivision.

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was re-referred**

**S.F. No. 210:** A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain

conditions; modifying previous appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; appropriating money; amending Minnesota Statutes 2016, sections 13.6905, by adding a subdivision; 13.7411, by adding a subdivision; 16A.967; 85.34, subdivision 1; 115E.042; 160.18, by adding a subdivision; 162.145, subdivision 3; 174.52, subdivision 2; 219.015; 299A.55; 446A.072; 446A.073; 446A.081, subdivision 9; 446A.12, subdivision 1; 462A.37, subdivision 5, by adding a subdivision; Laws 2012, chapter 293, section 7, subdivision 3; Laws 2014, chapter 294, article 1, sections 7, subdivision 15; 17, subdivisions 6, 12; Laws 2015, First Special Session chapter 5, article 1, section 10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 219; repealing Minnesota Statutes 2016, section 123A.446.

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

Page 50, delete lines 10 to 18 and insert:

"For right-of-way acquisition, design, engineering, and environmental analysis of marked U.S. Highway 14 as a four-lane divided highway from the interchange with County Road 43 in Steele County to the west junction with marked Trunk Highway 56 in Dodge County."

Page 53, line 18, delete everything after "for" and insert "right-of-way acquisition, design, engineering, and environmental analysis of marked U.S. Highway 14 as a four-lane divided highway from the interchange with County Road 21 and marked Trunk Highway 15 east of New Ulm to the intersection with 471st Avenue west of Nicollet."

Page 53, delete lines 19 to 22

Page 55, line 13, delete "11,135,000" and insert "8,483,500"

Page 58, line 15, delete "\$62,062,000" and insert "\$197,197,000"

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

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 960:** A bill for an act relating to agriculture; extending the agricultural fertilizer research and education program and council; amending Minnesota Statutes 2016, sections 18C.70, subdivision 5; 18C.71, subdivision 4.

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

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 825:** A bill for an act relating to agriculture; modifying provisions related to the Agricultural Utilization Research Institute; amending Minnesota Statutes 2016, section 116V.01, subdivisions 1, 2, 3, 4, 7, 10, 11, 13, 14.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Agriculture, Rural Development, and Housing Finance. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 1014:** A bill for an act relating to agriculture; eliminating the expiration date for the Minnesota Agriculture Education Leadership Council; repealing Minnesota Statutes 2016, section 41D.01, subdivision 4.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Agriculture, Rural Development, and Housing Finance. Report adopted.

**Senator Weber from the Committee on Agriculture, Rural Development, and Housing Policy, to which was referred**

**S.F. No. 756:** A bill for an act relating to human services; establishing a mobile food shelf grant program; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Report adopted.

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 736:** A bill for an act relating to education; modifying character development education responsibilities; amending Minnesota Statutes 2016, section 120B.232, subdivision 1.

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

**Senator Pratt from the Committee on E-12 Policy, to which was referred**

**S.F. No. 453:** A bill for an act relating to education; requiring a dyslexia and literacy specialist; appropriating money; amending Minnesota Statutes 2016, sections 120B.12, subdivisions 2, 3; 125A.56, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

Page 2, line 29, delete "multimodal" and insert "multisensory"

Page 2, after line 30, insert:

"Sec. 4. Minnesota Statutes 2016, section 124D.98, is amended by adding a subdivision to read:

Subd. 4. **Dyslexia and literacy specialist.** Up to \$150,000 of literacy incentive aid is transferred to the Department of Education in each year of the biennium for the purpose of employing a dyslexia and literacy specialist according to section 120B.122."

Page 3, lines 13 and 26, delete "multimodal" and insert "multisensory"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on E-12 Finance. Amendments adopted. Report adopted.

**Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred**

**S.F. No. 1086:** A bill for an act relating to liquor; permitting off-sale intoxicating liquor sales on Sunday; amending Minnesota Statutes 2016, section 340A.504, subdivision 4.

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 2016, section 340A.504, subdivision 4, is amended to read:

Subd. 4. **Intoxicating liquor; off-sale.** (a) No sale of intoxicating liquor may be made by an off-sale licensee:

- (1) on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
- (2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
- (3) on Thanksgiving Day;
- (4) on Christmas Day, December 25; or
- (5) after 8:00 p.m. on Christmas Eve, December 24.

(b) No delivery of alcohol to an off-sale licensee may be made by a wholesaler or accepted by an off-sale licensee on a Sunday. No order solicitation or merchandising may be made by a wholesaler on a Sunday.

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

Delete the title and insert:

"A bill for an act relating to liquor; permitting the off-sale of intoxicating liquor on Sundays; prohibiting certain deliveries on Sunday; amending Minnesota Statutes 2016, section 340A.504, subdivision 4."

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



**Senator Nelson from the Committee on E-12 Finance, to which was referred**

**S.F. No. 944:** A bill for an act relating to education finance; clarifying the operating capital levy; amending Minnesota Statutes 2016, section 126C.10, subdivision 13a.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Nelson from the Committee on E-12 Finance, to which was referred**

**S.F. No. 709:** A bill for an act relating to education finance; authorizing additional early repayments of maximum effort capital loans; amending Laws 2011, First Special Session chapter 11, article 4, section 8, 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. **[477A.09] MAXIMUM EFFORT LOAN AID.**

For fiscal years 2018 through 2022, each school district with a maximum effort loan under sections 126C.61 to 126C.72, outstanding as of June 30, 2016, is eligible for an aid payment equal to one-fifth of the amount of interest that was paid on the loan between December 1, 1990, and June 30, 2016. Aid payments under this section must be used to reduce current year property taxes levied on net tax capacity within the district, or to reduce future years' tax levies by:

(1) retaining payments made under this section in the district's debt redemption fund for up to 20 years, notwithstanding the two-year limit under section 475.61, subdivision 3; or

(2) financing a defeasance of any future payments on outstanding bonded debt.

Aid under this section must be paid in fiscal years 2018 through 2022. An amount sufficient to make aid payments under this section is annually appropriated from the general fund to the commissioner of education.

**EFFECTIVE DATE.** This section is effective for fiscal year 2018 and thereafter."

Delete the title and insert:

"A bill for an act relating to education finance; authorizing aid payments to certain districts with maximum effort loan interest payments between December 1, 1990, and June 30, 2016; proposing coding for new law in Minnesota Statutes, chapter 477A."

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 821:** A bill for an act relating to transportation finance; modifying an appropriation for state road construction; amending Laws 2015, chapter 75, article 1, section 3, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 530:** A bill for an act relating to transportation; requiring the commissioner of transportation to report to the legislature on use of tolling.

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

Page 2, after line 8, insert:

"Sec. 2. REPORT BY COMMISSIONER OF TRANSPORTATION ON MNPASS LANES.

On or before January 2, 2018, the commissioner of transportation shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over transportation policy and finance concerning MnPASS lanes to reduce congestion and raise revenue. The report must be prepared with existing appropriations. At a minimum, the report must:

- (1) for each lane, state the capital costs, maintenance and repair costs, and operation costs;
- (2) for each lane, indicate the current condition and the projected life expectancy;
- (3) for each lane, list and explain the cost recovery ratio for each lane;
- (4) list the amounts of the deposit of revenues made each year since pursuant to Minnesota Statutes, section 160.93, subdivisions 2 and 2a, including a breakdown of deposits for each lane for each year the lane has been in existence;
- (5) list the cost to participate in the MnPASS program, broken down by each year a lane has been in existence;
- (6) for each lane, list the total number of users, including a breakdown of the total number of each type of user; and
- (7) an explanation of how MnPASS lane regulations are enforced.

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

Amend the title as follows:

Page 1, line 3, after "tolling" insert "and on MnPASS lanes"

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

**Senator Housley from the Committee on Aging and Long-term Care Policy, to which was referred**

**S.F. No. 655:** A bill for an act relating to human services; establishing the senior care workforce innovation grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Page 2, line 8, delete "paragraph (c)" and insert "subdivision 5, paragraph (b)"

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Amendments adopted. Report adopted.

**Senator Housley from the Committee on Aging and Long-term Care Policy, to which was referred**

**S.F. No. 654:** A bill for an act relating to human services; making policy and technical changes to the nursing facility payment system; requiring a report; amending Minnesota Statutes 2016, sections 144.0724, subdivision 6; 256B.431, subdivision 30, by adding a subdivision; 256B.434, subdivision 4; 256R.02, subdivisions 4, 17, 18, 19, 22, 42, 52, by adding subdivisions; 256R.07, subdivision 1, by adding a subdivision; 256R.10, by adding a subdivision; 256R.13, subdivision 4; 256R.37; 256R.40, subdivisions 1, 5; 256R.41; 256R.47; 256R.49; proposing coding for new law in Minnesota Statutes, chapter 256R; repealing Minnesota Statutes 2016, sections 256R.06, subdivision 7; 256R.54, subdivisions 5, 6, 7, 8, 9.

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

Page 4, line 15, before "A" insert "Effective for the rate years beginning on and after January 1, 2018," and strike "case mix" and insert "property"

Page 4, line 16, strike "rates" and insert "rate"

Page 4, line 17, strike "contract" and insert "property" and strike "rates" and insert "rate" and strike "and, for facilities"

Page 4, lines 18 and 19, strike the old language

Page 4, line 20, strike "1, 2001"

Page 4, line 21, strike "commissioner"

Page 4, line 22, strike everything before the comma and insert "Reports and Forecasts Division of the Department of Human Services"

Page 4, line 25, strike "For the rate years beginning on"

Page 4, line 27, delete "and after January 1, 2018" and strike the old language

Page 4, line 28, strike "this paragraph shall apply only to the property-related payment rate."

Page 4, lines 31 and 32, strike the old language

Page 5, after line 2, insert:

"Sec. 5. Minnesota Statutes 2016, section 256B.50, subdivision 1b, is amended to read:

Subd. 1b. **Filing an appeal.** To appeal, the provider shall file with the commissioner a written notice of appeal; the appeal must be postmarked or received by the commissioner within 60 days of the publication date the determination of the payment rate was mailed or personally received by a provider, whichever is earlier printed on the rate notice. The notice of appeal must specify each disputed item; the reason for the dispute; the total dollar amount in dispute for each separate disallowance, allocation, or adjustment of each cost item or part of a cost item; the computation that the provider believes is correct; the authority in statute or rule upon which the provider relies for each disputed item; the name and address of the person or firm with whom contacts may be made regarding the appeal; and other information required by the commissioner."

Page 5, line 8, strike "and"

Page 5, line 11, strike "not"

Page 5, line 12, delete "including" and insert "except" and delete "an employee" and insert "a fringe" and after "benefit" insert "under subdivision 22"

Page 5, line 16, strike the first "and" and after "debts" insert a comma

Page 5, line 28, strike ", and" and insert a semicolon

Page 5, line 29, strike "costs of"

Page 5, line 31, delete "costs for"

Page 5, line 32, delete everything after "directors"

Page 5, delete line 33

Page 5, line 34, delete the new language

Page 6, line 4, delete "and administrative" and insert a comma and after "costs" insert "associated with administrating employer-provided health insurance"

Page 6, line 6, after "of" insert "those"

Page 6, line 8, delete the new language and insert "are employed on average at least 30 hours of service per week, or 130 hours of service per month"

Page 6, line 15, strike "property" and insert "real estate" and before "assessments" insert "special"

Page 6, line 23, before "profit" insert "short and long-term disability, long-term care insurance, accident insurance, supplemental insurance, legal assistance insurance,"

Page 6, line 24, delete ", including" and insert "such as health insurance"

Page 7, delete section 14

Page 8, line 16, after "care" insert ", not including Medicare coinsurance for Medicaid recipients as defined in section 256B.0625, subdivision 57a"

Page 8, delete section 17 and insert:

"Sec. 17. Minnesota Statutes 2016, section 256R.12, is amended by adding a subdivision to read:

Subd. 11. **Allocation of nurse consultant costs.** Salaries and payroll taxes for nurse consultants who work out of a central office must be allocated proportionately by total resident days or by direct identification to the nursing facilities served by those consultants."

Page 9, line 23, strike "newly hired"

Page 9, line 25, strike ", who are newly hired and have graduated within the last 12 months"

Page 11, after line 25, insert:

"(f) For a nursing facility that is ceasing operations through delicensure and decertification of all beds within the facility, the planned closure rate adjustment under this section is effective on the first day of the month following completion of closure of the facility designated for closure in the application and becomes part of any assigned nursing facility's external fixed payment rate."

Page 13, line 23, strike "Operating"

Page 14, lines 6 and 10, strike "operating"

Page 14, line 23, strike "standardized or" and insert "sum of the facility's"

Page 14, line 24, strike "operating portion" and insert "external fixed costs payment rate"

Page 14, line 25, strike everything after "rate"

Page 14, line 26, strike "the commissioner"

Page 15, delete section 25

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Amendments adopted. Report adopted.

**Senator Housley from the Committee on Aging and Long-term Care Policy, to which was referred**

**S.F. No. 668:** A bill for an act relating to human services; reforming the elderly waiver program; appropriating money; amending Minnesota Statutes 2016, sections 256B.056, subdivision 5; 256B.0911, subdivision 3a; 256B.0915, subdivisions 1, 3e, 5, by adding subdivisions; 256B.439, by adding a subdivision.

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 2016, section 144.0724, subdivision 4, is amended to read:

Subd. 4. **Resident assessment schedule.** (a) A facility must conduct and electronically submit to the commissioner of health MDS assessments that conform with the assessment schedule defined by Code of Federal Regulations, title 42, section 483.20, and published by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, in the Long Term Care Assessment Instrument User's Manual, version 3.0, and subsequent updates when issued by the Centers for Medicare and Medicaid Services. The commissioner of health may substitute successor manuals or question and answer documents published by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, to replace or supplement the current version of the manual or document.

(b) The assessments used to determine a case mix classification for reimbursement include the following:

(1) a new admission assessment;

(2) an annual assessment which must have an assessment reference date (ARD) within 92 days of the previous assessment and the previous comprehensive assessment;

(3) a significant change in status assessment must be completed within 14 days of the identification of a significant change, whether improvement or decline, and regardless of the amount of time since the last significant change in status assessment;

(4) all quarterly assessments must have an assessment reference date (ARD) within 92 days of the ARD of the previous assessment;

(5) any significant correction to a prior comprehensive assessment, if the assessment being corrected is the current one being used for RUG classification; and

(6) any significant correction to a prior quarterly assessment, if the assessment being corrected is the current one being used for RUG classification.

(c) In addition to the assessments listed in paragraph (b), the assessments used to determine nursing facility level of care include the following:

(1) preadmission screening completed under section 256.975, subdivisions 7a to 7c, by the Senior LinkAge Line or other organization under contract with the Minnesota Board on Aging; and

(2) a nursing facility level of care determination as provided for under section 256B.0911, subdivision 4e, as part of a face-to-face long-term care consultation assessment completed under section 256B.0911, by a county, tribe, or managed care organization under contract with the Department of Human Services.

Sec. 2. Minnesota Statutes 2016, section 256B.056, subdivision 5, is amended to read:

Subd. 5. **Excess income.** (a) A person who has excess income is eligible for medical assistance if the person has expenses for medical care that are more than the amount of the person's excess income, computed by deducting incurred medical expenses from the excess income to reduce the excess to the income standard specified in subdivision 5c. The person shall elect to have the medical expenses deducted at the beginning of a one-month budget period or at the beginning of a six-month budget period. The commissioner shall allow persons eligible for assistance on a one-month spenddown basis under this subdivision to elect to pay the monthly spenddown amount in advance of the month of eligibility to the state agency in order to maintain eligibility on a continuous basis. If the recipient does not pay the spenddown amount on or before the 20th of the month, the recipient is ineligible for this option for the following month. The local agency shall code the Medicaid Management Information System (MMIS) to indicate that the recipient has elected this option. The state agency shall convey recipient eligibility information relative to the collection of the spenddown to providers through the Electronic Verification System (EVS). A recipient electing advance payment must pay the state agency the monthly spenddown amount on or before the 20th of the month in order to be eligible for this option in the following month.

(b) A person who is eligible for medical assistance and receiving services under section 256B.0915 shall be eligible to pay the person's monthly spenddown or waiver obligation amount due to a provider of the person's choice. The state, or other payer acting on behalf of the state, shall deduct that amount from the provider's claims for each month.

Sec. 3. Minnesota Statutes 2016, section 256B.0911, subdivision 3a, is amended to read:

Subd. 3a. **Assessment and support planning.** (a) Persons requesting assessment, services planning, or other assistance intended to support community-based living, including persons who need assessment in order to determine waiver or alternative care program eligibility, must be visited by a long-term care consultation team within 20 calendar days after the date on which an assessment was requested or recommended. Upon statewide implementation of subdivisions 2b, 2c, and 5, this requirement also applies to an assessment of a person requesting personal care assistance services and home care nursing. The commissioner shall provide at least a 90-day notice to lead agencies prior to the effective date of this requirement. Face-to-face assessments must be conducted according to paragraphs (b) to (i).

(b) Upon implementation of subdivisions 2b, 2c, and 5, lead agencies shall use certified assessors to conduct the assessment. For a person with complex health care needs, a public health or registered nurse from the team must be consulted.

(c) The MnCHOICES assessment provided by the commissioner to lead agencies must be used to complete a comprehensive, person-centered assessment. The assessment must include the health, psychological, functional, environmental, and social needs of the individual necessary to develop a community support plan that meets the individual's needs and preferences.

(d) The assessment must be conducted in a face-to-face interview with the person being assessed and the person's legal representative. At the request of the person, other individuals may participate in the assessment to provide information on the needs, strengths, and preferences of the person necessary to develop a community support plan that ensures the person's health and safety. Except for legal representatives or family members invited by the person, persons participating in the assessment may not be a provider of service or have any financial interest in the provision of services. For persons who are to be assessed for elderly waiver customized living or adult day services under section 256B.0915, with the permission of the person being assessed or the person's designated or legal representative, the client's current or proposed provider of services may submit a copy of the provider's nursing assessment or written report outlining its recommendations regarding the client's care needs. The person conducting the assessment must notify the provider of the date by which this information is to be submitted. This information shall be provided to the person conducting the assessment prior to the assessment. For a person who is to be assessed for waiver services under section 256B.092 or 256B.49, with the permission of the person being assessed or the person's designated legal representative, the person's current provider of services may submit a written report outlining recommendations regarding the person's care needs prepared by a direct service employee with at least 20 hours of service to that client. The person conducting the assessment or reassessment must notify the provider of the date by which this information is to be submitted. This information shall be provided to the person conducting the assessment and the person or the person's legal representative, and must be considered prior to the finalization of the assessment or reassessment.

(e) The person or the person's legal representative must be provided with a written community support plan within 40 calendar days of the assessment visit, regardless of whether the individual is eligible for Minnesota health care programs.

(f) For a person being assessed for elderly waiver services under section 256B.0915, a provider who submitted information under paragraph (d) shall receive a copy of the draft assessment and have an opportunity to submit additional information to the assessor before the assessment is final. The provider shall also receive a copy of the final written community support plan when available, the case mix level, and the Residential Services Workbook.

(g) The written community support plan must include:

- (1) a summary of assessed needs as defined in paragraphs (c) and (d);
- (2) the individual's options and choices to meet identified needs, including all available options for case management services and providers;
- (3) identification of health and safety risks and how those risks will be addressed, including personal risk management strategies;
- (4) referral information; and
- (5) informal caregiver supports, if applicable.

For a person determined eligible for state plan home care under subdivision 1a, paragraph (b), clause (1), the person or person's representative must also receive a copy of the home care service plan developed by the certified assessor.



~~(h)~~ (h) A person may request assistance in identifying community supports without participating in a complete assessment. Upon a request for assistance identifying community support, the person must be transferred or referred to long-term care options counseling services available under sections 256.975, subdivision 7, and 256.01, subdivision 24, for telephone assistance and follow up.

~~(i)~~ (i) The person has the right to make the final decision between institutional placement and community placement after the recommendations have been provided, except as provided in section 256.975, subdivision 7a, paragraph (d).

~~(j)~~ (j) The lead agency must give the person receiving assessment or support planning, or the person's legal representative, materials, and forms supplied by the commissioner containing the following information:

(1) written recommendations for community-based services and consumer-directed options;

(2) documentation that the most cost-effective alternatives available were offered to the individual. For purposes of this clause, "cost-effective" means community services and living arrangements that cost the same as or less than institutional care. For an individual found to meet eligibility criteria for home and community-based service programs under section 256B.0915 or 256B.49, "cost-effectiveness" has the meaning found in the federally approved waiver plan for each program;

(3) the need for and purpose of preadmission screening conducted by long-term care options counselors according to section 256.975, subdivisions 7a to 7c, if the person selects nursing facility placement. If the individual selects nursing facility placement, the lead agency shall forward information needed to complete the level of care determinations and screening for developmental disability and mental illness collected during the assessment to the long-term care options counselor using forms provided by the commissioner;

(4) the role of long-term care consultation assessment and support planning in eligibility determination for waiver and alternative care programs, and state plan home care, case management, and other services as defined in subdivision 1a, paragraphs (a), clause (6), and (b);

(5) information about Minnesota health care programs;

(6) the person's freedom to accept or reject the recommendations of the team;

(7) the person's right to confidentiality under the Minnesota Government Data Practices Act, chapter 13;

(8) the certified assessor's decision regarding the person's need for institutional level of care as determined under criteria established in subdivision 4e and the certified assessor's decision regarding eligibility for all services and programs as defined in subdivision 1a, paragraphs (a), clause (6), and (b); and

(9) the person's right to appeal the certified assessor's decision regarding eligibility for all services and programs as defined in subdivision 1a, paragraphs (a), clauses (6), (7), and (8), and (b), and incorporating the decision regarding the need for institutional level of care or the lead agency's final decisions regarding public programs eligibility according to section 256.045, subdivision 3.

~~(j)~~ (k) Face-to-face assessment completed as part of eligibility determination for the alternative care, elderly waiver, community access for disability inclusion, community alternative care, and brain injury waiver programs under sections 256B.0913, 256B.0915, and 256B.49 is valid to establish service eligibility for no more than ~~60~~ 90 calendar days after the date of assessment.

~~(j)~~ (l) The effective eligibility start date for programs in paragraph ~~(j)~~ (k) can never be prior to the date of assessment. If an assessment was completed more than ~~60~~ 90 days before the effective waiver or alternative care program eligibility start date, assessment and support plan information must be updated and documented in the department's Medicaid Management Information System (MMIS). Notwithstanding retroactive medical assistance coverage of state plan services, the effective date of eligibility for programs included in paragraph ~~(j)~~ (k) cannot be prior to the date the most recent updated assessment is completed.

Sec. 4. Minnesota Statutes 2016, section 256B.0915, subdivision 1, is amended to read:

Subdivision 1. **Authority.** (a) The commissioner is authorized to apply for a home and community-based services waiver for the elderly, authorized under section 1915(c) of the Social Security Act, in order to obtain federal financial participation to expand the availability of services for persons who are eligible for medical assistance. The commissioner may apply for additional waivers or pursue other federal financial participation which is advantageous to the state for funding home care services for the ~~frail~~ elderly who are eligible for medical assistance.

(b) The provision of waived services to elderly and disabled medical assistance recipients must comply with the criteria for service definitions and provider standards approved in the waiver.

Sec. 5. Minnesota Statutes 2016, section 256B.0915, subdivision 3a, is amended to read:

Subd. 3a. **Elderly waiver cost limits.** (a) Effective on the first day of the state fiscal year in which the resident assessment system as described in section ~~256B.438~~ 256R.17 for nursing home rate determination is implemented and the first day of each subsequent state fiscal year, the monthly limit for the cost of waived services to an individual elderly waiver client shall be the monthly limit of the case mix resident class to which the waiver client would be assigned under Minnesota Rules, parts 9549.0051 to 9549.0059, in effect on the last day of the previous state fiscal year, adjusted by any legislatively adopted home and community-based services percentage rate adjustment. If a legislatively authorized increase is service-specific, the monthly cost limit shall be adjusted based on the overall average increase to the affected program.

(b) The monthly limit for the cost of waived services under paragraph (a) to an individual elderly waiver client assigned to a case mix classification A with:

(1) no dependencies in activities of daily living; or

(2) up to two dependencies in bathing, dressing, grooming, walking, and eating when the dependency score in eating is three or greater as determined by an assessment performed under section 256B.0911 shall be \$1,750 per month effective on July 1, 2011, for all new participants enrolled in the program on or after July 1, 2011. This monthly limit shall be applied to all other participants who meet this criteria at reassessment. This monthly limit shall be increased annually as described in paragraphs (a) and (e).

(c) If extended medical supplies and equipment or environmental modifications are or will be purchased for an elderly waiver client, the costs may be prorated for up to 12 consecutive months beginning with the month of purchase. If the monthly cost of a recipient's waived services exceeds the monthly limit established in paragraph (a), (b), (d), or (e), the annual cost of all waived services shall be determined. In this event, the annual cost of all waived services shall not exceed 12 times the monthly limit of waived services as described in paragraph (a), (b), (d), or (e).

(d) Effective July 1, 2013, the monthly cost limit of waiver services, including any necessary home care services described in section 256B.0651, subdivision 2, for individuals who meet the criteria as ventilator-dependent given in section 256B.0651, subdivision 1, paragraph (g), shall be the average of the monthly medical assistance amount established for home care services as described in section 256B.0652, subdivision 7, and the annual average contracted amount established by the commissioner for nursing facility services for ventilator-dependent individuals. This monthly limit shall be increased annually as described in paragraphs (a) and (e).

(e) Effective ~~July 1, 2016~~ January 1, 2018, and each ~~July~~ January 1 thereafter, the monthly cost limits for elderly waiver services in effect on the previous ~~June 30~~ December 31 shall be increased by the difference between any legislatively adopted home and community-based provider rate increases effective on ~~July~~ January 1 or since the previous ~~July~~ January 1 and the average statewide percentage increase in nursing facility operating payment rates under ~~sections 256B.431, 256B.434, and 256B.441~~ chapter 256R, effective the previous January 1. This paragraph shall only apply if the average statewide percentage increase in nursing facility operating payment rates is greater than any legislatively adopted home and community-based provider rate increases effective on ~~July~~ January 1, or occurring since the previous ~~July~~ January 1.

Sec. 6. Minnesota Statutes 2016, section 256B.0915, subdivision 3e, is amended to read:

Subd. 3e. **Customized living service rate.** (a) Payment for customized living services shall be a monthly rate authorized by the lead agency within the parameters established by the commissioner. The payment agreement must delineate the amount of each component service included in the recipient's customized living service plan. The lead agency, with input from the provider of customized living services, shall ensure that there is a documented need within the parameters established by the commissioner for all component customized living services authorized.

(b) The payment rate must be based on the amount of component services to be provided utilizing component rates established by the commissioner. Counties and tribes shall use tools issued by the commissioner to develop and document customized living service plans and rates.

(c) Component service rates must not exceed payment rates for comparable elderly waiver or medical assistance services and must reflect economies of scale. Customized living services must not include rent or raw food costs.

(d) The commissioner shall include a nursing component service that includes, but is not limited to injections, catheterizations, wound care, infections, and diabetic and foot care. The hourly unit service payment shall be based on the registered nurses component rate.

~~(d)~~ (e) With the exception of individuals described in subdivision 3a, paragraph (b), the individualized monthly authorized payment for the customized living service plan shall not exceed 50 percent of the ~~greater of either the statewide or any of the geographic groups'~~ weighted average

monthly nursing facility rate of the case mix resident class to which the elderly waiver eligible client would be assigned under Minnesota Rules, parts 9549.0051 to 9549.0059, less the maintenance needs allowance as described in subdivision 1d, paragraph (a). ~~Effective On July 1 of the state fiscal year in which the resident assessment system as described in section 256B.438 for nursing home rate determination is implemented and July 1 of each subsequent state fiscal year,~~ the individualized monthly authorized payment for the services described in this clause shall not exceed the limit which was in effect on June 30 of the previous state fiscal year updated annually based on legislatively adopted changes to all service rate maximums for home and community-based service providers.

(f) The monthly customized living service rate for a client may be increased temporarily in lieu of the client being admitted to a hospital. The temporary increase shall cover additional nursing and home care services needed to avoid hospitalization. A provider shall communicate client need to the case manager in a form and manner prescribed by the commissioner.

(g) Based on responses to questions 45 and 51 of the Minnesota long-term care consultation assessment form, the elderly waiver payment for customized living services includes a cognitive and behavioral needs factor for a client determined to have either:

(1) wandering or orientation issues; or

(2) anxiety, verbal aggression, physical aggression, repetitive behavior, agitation, self-injurious behavior, or behavior related to property destruction.

An additional 15 percent is applied to the component service rates if the total monthly hours of customized living services divided by 30.4 is less than 3.62. A client assessed as both "oriented" and "behavior requires no intervention" or "no behaviors" shall not receive a cognitive and behavioral needs factor.

~~(e) Effective July 1, 2011,~~ (h) The individualized monthly payment for the customized living service plan for individuals described in subdivision 3a, paragraph (b), must be the monthly authorized payment limit for customized living for individuals classified as case mix A, reduced by 25 percent. This rate limit must be applied to all new participants enrolled in the program on or after July 1, 2011, who meet the criteria described in subdivision 3a, paragraph (b). This monthly limit also applies to all other participants who meet the criteria described in subdivision 3a, paragraph (b), at reassessment.

(i) The payment rate for a client qualifying for customized living services equals 120 percent of the statewide average 24-hour residential services rate for the first 62 days and equals the rate established by the responsible case manager for the 63rd and subsequent days.

~~(f)~~ (j) Customized living services are delivered by a provider licensed by the Department of Health as a class A or class F home care provider and provided in a building that is registered as a housing with services establishment under chapter 144D. Licensed home care providers are subject to section 256B.0651, subdivision 14.

~~(g)~~ (k) A provider may not bill or otherwise charge an elderly waiver participant or their family for additional units of any allowable component service beyond those available under the service

rate limits described in paragraph ~~(d)~~ (e), nor for additional units of any allowable component service beyond those approved in the service plan by the lead agency.

~~(h)~~ (l) Effective ~~July 1, 2016~~ January 1, 2018, and each ~~July~~ January 1 thereafter, individualized service rate limits for customized living services under this subdivision shall be increased by the difference between any legislatively adopted home and community-based provider rate increases effective on ~~July~~ January 1 or since the previous ~~July~~ January 1 and the average statewide percentage increase in nursing facility operating payment rates under sections 256B.431, and 256B.434, and ~~256B.441~~ chapter 256R, effective the previous January 1. This paragraph shall only apply if the average statewide percentage increase in nursing facility operating payment rates is greater than any legislatively adopted home and community-based provider rate increases effective on ~~July~~ January 1, or occurring since the previous ~~July~~ January 1.

Sec. 7. Minnesota Statutes 2016, section 256B.0915, subdivision 3h, is amended to read:

Subd. 3h. **Service rate limits; 24-hour customized living services.** (a) The payment rate for 24-hour customized living services is a monthly rate authorized by the lead agency within the parameters established by the commissioner of human services. The payment agreement must delineate the amount of each component service included in each recipient's customized living service plan. The lead agency, with input from the provider of customized living services, shall ensure that there is a documented need within the parameters established by the commissioner for all component customized living services authorized. The lead agency shall not authorize 24-hour customized living services unless there is a documented need for 24-hour supervision.

(b) For purposes of this section, "24-hour supervision" means that the recipient requires assistance due to needs related to one or more of the following:

- (1) intermittent assistance with toileting, positioning, or transferring;
- (2) cognitive or behavioral issues;
- (3) a medical condition that requires clinical monitoring; or

(4) for all new participants enrolled in the program on or after July 1, 2011, and all other participants at their first reassessment after July 1, 2011, dependency in at least three of the following activities of daily living as determined by assessment under section 256B.0911: bathing; dressing; grooming; walking; or eating when the dependency score in eating is three or greater; and needs medication management and at least 50 hours of service per month. The lead agency shall ensure that the frequency and mode of supervision of the recipient and the qualifications of staff providing supervision are described and meet the needs of the recipient.

(c) The payment rate for 24-hour customized living services must be based on the amount of component services to be provided utilizing component rates established by the commissioner. Counties and tribes will use tools issued by the commissioner to develop and document customized living plans and authorize rates.

(d) Component service rates must not exceed payment rates for comparable elderly waiver or medical assistance services and must reflect economies of scale.

(e) The individually authorized 24-hour customized living payments, in combination with the payment for other elderly waiver services, including case management, must not exceed the recipient's community budget cap specified in subdivision 3a. Customized living services must not include rent or raw food costs.

(f) The individually authorized 24-hour customized living payment rates shall not exceed the 95 percentile of statewide monthly authorizations for 24-hour customized living services in effect and in the Medicaid management information systems on March 31, 2009, for each case mix resident class under Minnesota Rules, parts 9549.0051 to 9549.0059, to which elderly waiver service clients are assigned. When there are fewer than 50 authorizations in effect in the case mix resident class, the commissioner shall multiply the calculated service payment rate maximum for the A classification by the standard weight for that classification under Minnesota Rules, parts 9549.0051 to 9549.0059, to determine the applicable payment rate maximum. Service payment rate maximums shall be updated annually based on legislatively adopted changes to all service rates for home and community-based service providers.

(g) Notwithstanding the requirements of paragraphs (d) and (f), the commissioner may establish alternative payment rate systems for 24-hour customized living services in housing with services establishments which are freestanding buildings with a capacity of 16 or fewer, by applying a single hourly rate for covered component services provided in either:

(1) licensed corporate adult foster homes; or

(2) specialized dementia care units which meet the requirements of section 144D.065 and in which:

(i) each resident is offered the option of having their own apartment; or

(ii) the units are licensed as board and lodge establishments with maximum capacity of eight residents, and which meet the requirements of Minnesota Rules, part 9555.6205, subparts 1, 2, 3, and 4, item A.

(h) Twenty-four-hour customized living services are delivered by a provider licensed by the Department of Health as a class A or class F home care provider and provided in a building that is registered as a housing with services establishment under chapter 144D. Licensed home care providers are subject to section 256B.0651, subdivision 14.

(i) A provider may not bill or otherwise charge an elderly waiver participant or their family for additional units of any allowable component service beyond those available under the service rate limits described in paragraph (e), nor for additional units of any allowable component service beyond those approved in the service plan by the lead agency.

(j) Effective ~~July 1, 2016~~ January 1, 2018, and each ~~July~~ January 1 thereafter, individualized service rate limits for 24-hour customized living services under this subdivision shall be increased by the difference between any legislatively adopted home and community-based provider rate increases effective on ~~July~~ January 1 or since the previous ~~July~~ January 1 and the average statewide percentage increase in nursing facility operating payment rates under ~~sections 256B.431, 256B.434, and 256B.441~~ chapter 256R, effective the previous January 1. This paragraph shall only apply if the average statewide percentage increase in nursing facility operating payment rates is greater than

any legislatively adopted home and community-based provider rate increases effective on ~~July~~ January 1, or occurring since the previous ~~July~~ January 1.

Sec. 8. Minnesota Statutes 2016, section 256B.0915, subdivision 5, is amended to read:

Subd. 5. **Assessments and reassessments for waiver clients.** (a) Each client shall receive an initial assessment of strengths, informal supports, and need for services in accordance with section 256B.0911, subdivisions 3, 3a, and 3b. A reassessment of a client served under the elderly waiver must be conducted at least every 12 months ~~and at other times when the case manager determines that there has been significant change in the client's functioning. This may include instances where the client is discharged from the hospital.~~ There must be a determination that the client requires nursing facility level of care as defined in section 256B.0911, subdivision 4e, at initial and subsequent assessments to initiate and maintain participation in the waiver program.

(b) Regardless of other assessments identified in section 144.0724, subdivision 4, as appropriate to determine nursing facility level of care for purposes of medical assistance payment for nursing facility services, only face-to-face assessments conducted according to section 256B.0911, subdivisions 3a and 3b, that result in a nursing facility level of care determination will be accepted for purposes of initial and ongoing access to waiver service payment.

(c) The lead agency shall conduct a change-in-condition reassessment before the annual reassessment in cases where a client's condition changed due to a major health event, an emerging need or risk, worsening health condition, or cases where the current services do not meet the client's needs. A change-in-condition reassessment may be initiated by the lead agency, or it may be requested by the client or requested on the client's behalf by another party, such as a provider of services. The lead agency shall complete a change-in-condition reassessment no later than 20 calendar days from the request. The lead agency shall conduct these assessments in a timely manner and expedite urgent requests. The lead agency shall evaluate urgent requests based on the client's needs and risk to the client if a reassessment is not completed.

Sec. 9. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 11. **Payment rates; application.** The payment methodologies in subdivisions 12 to 15 apply to elderly waiver and elderly waiver customized living under this section, alternative care under section 256B.0913, essential community supports under section 256B.0922, and community access for disability inclusion customized living, brain injury customized living, and elderly waiver foster care and residential care.

Sec. 10. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 12. **Payment rates; establishment.** (a) The commissioner shall use standard occupational classification (SOC) codes from the Bureau of Labor Statistics as defined in the most recent edition of the Occupational Handbook and data from the most recent and available nursing facility cost report, to establish rates and component rates every January 1 using Minnesota-specific wages taken from job descriptions.

(b) In creating the rates and component rates, the commissioner shall establish a base wage calculation for each component service and value, and add the following factors:

- (1) payroll taxes and benefits;
- (2) general and administrative;
- (3) program plan support;
- (4) registered nurse management and supervision; and
- (5) social worker supervision.

Sec. 11. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 13. **Payment rates; base wage index.** (a) Base wages are calculated for customized living, foster care, and residential care component services as follows:

(1) the home management and support services base wage equals 33.33 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for personal and home care aide (SOC code 39-9021); 33.33 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for food preparation workers (SOC code 35-2021); and 33.34 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for maids and housekeeping cleaners (SOC code 37-2012);

(2) the home care aide base wage equals 50 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for home health aides (SOC code 31-1011); and 50 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014);

(3) the home health aide base wage equals 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for licensed practical and licensed vocational nurses (SOC code 29-2061); and 80 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014); and

(4) the medication setups by licensed practical nurse base wage equals ten percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for licensed practical and licensed vocational nurses (SOC code 29-2061); and 90 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for registered nurses (SOC code 29-1141).

(b) Base wages are calculated for the following services as follows:

(1) the chore services base wage equals 100 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for landscaping and groundskeeping workers (SOC code 37-3011);

(2) the companion services base wage equals 50 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for personal and home care aides (SOC code 39-9021); and 50 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for maids and housekeeping cleaners (SOC code 37-2012);



(3) the homemaker services and assistance with personal care base wage equals 60 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for personal and home care aide (SOC code 39-9021); 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014); and 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for maids and housekeeping cleaners (SOC code 37-2012);

(4) the homemaker services and cleaning base wage equals 60 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for personal and home care aide (SOC code 39-9021); 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014); and 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for maids and housekeeping cleaners (SOC code 37-2012);

(5) the homemaker services and home management base wage equals 60 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for personal and home care aide (SOC code 39-9021); 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014); and 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for maids and housekeeping cleaners (SOC code 37-2012);

(6) the in-home respite care services base wage equals five percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for registered nurses (SOC code 29-1141); 75 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014); and 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for licensed practical and licensed vocational nurses (SOC code 29-2061); and

(7) the out-of-home respite care services base wage equals five percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for registered nurses (SOC code 29-1141); 75 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for nursing assistants (SOC code 31-1014); and 20 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for licensed practical and licensed vocational nurses (SOC code 29-2061).

(c) Base wages are calculated for the following values as follows:

(1) the registered nurse base wage equals 100 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for registered nurses (SOC code 29-1141); and

(2) the social worker base wage equals 100 percent of the Minneapolis-St. Paul-Bloomington, MN-WI MetroSA average wage for medical and public health social workers (SOC code 21-1022).

(d) If any of the SOC codes and positions are no longer available, the commissioner shall, in consultation with stakeholders, select a new SOC code and position that is the closest match to the previously used SOC position.

Sec. 12. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 14. **Payment rates; factors.** The commissioner shall use the following factors:

(1) the payroll taxes and benefits factor is the sum of net payroll taxes and benefits divided by the sum of all salaries for all nursing facilities on the most recent and available cost report;

(2) the general and administrative factor is the sum of net general and administrative expenses minus administrative salaries divided by total operating expenses for all nursing facilities on the most recent and available cost report;

(3) the program plan support factor is defined as the direct service staff needed to provide support for the home and community-based service when not engaged in direct contact with clients. Based on the 2016 Non-Wage Provider Costs in Home and Community-Based Disability Waiver Services Report, this factor equals 12.8 percent;

(4) the registered nurse management and supervision factor equals 15 percent of the registered nurse value; and

(5) the social worker supervision factor equals 15 percent of the social worker value.

Sec. 13. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 15. **Payment rates; component rates.** (a) For the purposes of this subdivision, the "adjusted base wage" for a position equals the position's base wage plus:

(1) the position's base wage multiplied by the payroll taxes and benefits factor;

(2) the position's base wage multiplied by the general and administrative factor; and

(3) the position's base wage multiplied by the program plan support factor.

(b) For medication setups by licensed nurse, registered nurse, and social worker services, the component rate for each service equals the respective position's adjusted base wage.

(c) For home management and support services, home care aide, and home health aide services, the component rate for each service equals the respective position's adjusted base wage plus the registered nurse management and supervision factor.

(d) The home management and support services component rate shall be used for payment for socialization and transportation component rates under elderly waiver customized living.

(e) The 15-minute unit rates for chore services and companion services are calculated as follows:

(1) sum the adjusted base wage for the respective position and the social worker factor; and

(2) divide the result of clause (1) by four.

(f) The 15-minute unit rates for homemaker services and assistance with personal care, homemaker services and cleaning, and homemaker services and home management are calculated as follows:

(1) sum the adjusted base wage for the respective position and the registered nurse management and supervision factor; and

(2) divide the result of clause (1) by four.

(g) The 15-minute unit rate for in-home respite care services is calculated as follows:

(1) sum the adjusted base wage for in-home respite care services and the registered nurse management and supervision factor; and

(2) divide the result of clause (1) by four.

(h) The in-home respite care services daily rate equals the in-home respite care services 15-minute unit rate multiplied by 18.

(i) The 15-minute unit rate for out-of-home respite care is calculated as follows:

(1) sum the out-of-home respite care services adjusted base wage and the registered nurse management and supervision factor; and

(2) divide the result of clause (1) by four.

(j) The out-of-home respite care services daily rate equals the out-of-home respite care services 15-minute unit rate multiplied by 18.

(k) The individual community living support rate is calculated as follows:

(1) sum the adjusted base wage for the home care aide rate in subdivision 13, paragraph (a), clause (2), and the social worker factor; and

(2) divide the result of clause (1) by four.

(l) The home delivered meals rate equals \$9.30. Beginning July 1, 2018, the commissioner shall increase the home delivered meals rate every July 1 by the percent increase in the nursing facility dietary per diem using the two most recent nursing facility cost reports.

(m) The adult day services rate is based on the home care aide rate in subdivision 13, paragraph (a), clause (2), plus the additional factors from subdivision 14, except that the general and administrative factor used shall be 20 percent. The nonregistered nurse portion of the rate shall be multiplied by 0.25, to reflect an assumed-ratio staffing of one caregiver to four clients, and divided by four to determine the 15-minute unit rate. The registered nurse portion is divided by four to determine the 15-minute unit rate and \$0.63 per 15-minute unit is added to cover the cost of meals.

(n) The adult day services bath 15-minute unit rate is the same as the calculation of the adult day services 15-minute unit rate without the adjustment for staffing ratio.

(o) If a bath is authorized for an adult day services client, at least two 15-minute units must be authorized to allow for adequate time to meet client needs. Adult day services may be authorized for up to 48 units, or 12 hours, per day based on client and family caregiver needs.

Sec. 14. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 16. **Evaluation of rate methodology.** The commissioner, in consultation with stakeholders, shall conduct a study to evaluate the following:

(1) base wages in subdivision 13, to determine if the standard occupational classification codes for each rate and component rate are an appropriate representation of staff who deliver the services; and

(2) factors in subdivision 14, and adjusted base wage calculation in subdivision 15, to determine if the factors and calculations appropriately address nonwage provider costs.

By January 1, 2019, the commissioner shall submit a report to the legislature on the changes to the rate methodology in this statute, based on the results of the evaluation. Where feasible, the report shall address the impact of the new rates on the workforce situation and client access to services. The report should include any changes to the rate calculations methods that the commissioner recommends.

Sec. 15. Minnesota Statutes 2016, section 256B.439, is amended by adding a subdivision to read:

Subd. 2b. **Performance measures for elderly waiver customized living.** The commissioner shall develop performance measures for housing with services establishments that are enrolled in the elderly waiver program as a provider of customized living or 24-hour customized living. According to methods determined by the commissioner in consultation with stakeholders and experts, the commissioner shall develop the following performance measures:

(1) an annual customer satisfaction survey measure for assisted living residents and family members using a validated survey tool and set of questions chosen by the commissioner in consultation with stakeholders;

(2) a measure utilizing level 3 or 4 citations from Department of Health home care survey findings and substantiated Office of Health Facility Complaints findings against a home care agency;

(3) a home care staff retention measure; and

(4) a measure that scores a provider's staff according to their level of training and education.

Sec. 16. **DIRECTION TO COMMISSIONER; ADULT DAY SERVICES STAFFING RATIOS.**

The commissioner of human services shall study the staffing ratio for adult day services clients and shall provide the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over adult day services with recommendations to adjust staffing ratios based on client needs by January 1, 2018.

Sec. 17. **APPROPRIATION; PERFORMANCE MEASURES FOR ELDERLY WAIVER CUSTOMIZED LIVING.**

\$5,000,000 in fiscal year 2018 is appropriated from the general fund to the commissioner of human services for purposes of developing performance measures for elderly waiver customized living under Minnesota Statutes, section 256B.439, subdivision 2b. This is a onetime appropriation.

Sec. 18. **REVISOR'S INSTRUCTION.**

The revisor of statutes, in consultation with the House Research Department, Office of Senate Counsel, Research, and Fiscal Analysis, and Department of Human Services shall prepare legislation for the 2018 legislative session to recodify laws governing the elderly waiver program in Minnesota Statutes, chapter 256B.

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

Amend the title as follows:

Page 1, line 2, after the first semicolon, insert "clarifying significant changes in status assessments;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Amendments adopted. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 914:** A bill for an act relating to environment; requiring money from certain environmental settlements to be appropriated by law; amending Minnesota Statutes 2016, section 116.03, by adding a subdivision.

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

Page 1, line 9, delete "received by" and insert "required to be paid to"

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

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 688:** A bill for an act relating to natural resources; appropriating money for local recreation grants.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 790:** A bill for an act relating to state lands; modifying timber sale provisions for tax-forfeited lands; amending Minnesota Statutes 2016, section 282.04, subdivision 1.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2016, section 282.018, subdivision 1, is amended to read:

Subdivision 1. **Land on or adjacent to public waters.** (a) All land which is the property of the state as a result of forfeiture to the state for nonpayment of taxes, regardless of whether the land is held in trust for taxing districts, and which borders on or is adjacent to meandered lakes and other public waters and watercourses, and the live timber growing or being thereon, is hereby withdrawn from sale except as hereinafter provided. The authority having jurisdiction over the timber on any ~~such~~ of these lands may sell the timber as otherwise provided by law for cutting and removal under ~~such~~ the conditions as the authority may prescribe in accordance with approved, sustained yield forestry practices. The authority having jurisdiction over the timber shall reserve ~~such~~ the timber and impose ~~such~~ the conditions as the authority deems necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features. Within the area in Cook, Lake, and St. Louis counties described in the Act of Congress approved July 10, 1930 (46 Stat. 1020), the timber on tax-forfeited lands shall be subject to like restrictions as are now imposed by that act on federal lands.

(b) Of all tax-forfeited land bordering on or adjacent to meandered lakes and other public waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary high-water mark being the waterside boundary thereof, and the land side boundary thereof being a line drawn parallel to the ordinary high-water mark and two rods distant landward therefrom, hereby is reserved for public travel thereon, and whatever the conformation of the shore line or conditions require, the authority having jurisdiction over ~~such~~ these lands shall reserve a wider strip for ~~such~~ these purposes.

(c) Any tract or parcel of land which has 150 feet or less of waterfront may be sold by the authority having jurisdiction over the land, in the manner otherwise provided by law for the sale of ~~such~~ the lands, if the authority determines that it is in the public interest to do so. Any tract or parcel of land within a plat of record bordering on or adjacent to meandered lakes and other public waters and watercourses may be sold by the authority having jurisdiction over the land, in the manner otherwise provided by law for the sale of the lands, if the authority determines that it is in the public interest to do so. If the authority having jurisdiction over the land is not the commissioner of natural resources, the land may not be offered for sale without the prior approval of the commissioner of natural resources.

(d) Where the authority having jurisdiction over lands withdrawn from sale under this section is not the commissioner of natural resources, the authority may submit proposals for disposition of the lands to the commissioner. The commissioner of natural resources shall evaluate the lands and their public benefits and make recommendations on the proposed dispositions to the committees of the legislature with jurisdiction over natural resources. The commissioner shall include any recommendations of the commissioner for disposition of lands withdrawn from sale under this section over which the commissioner has jurisdiction. The commissioner's recommendations may

include a public sale, sale to a private party, acquisition by the Department of Natural Resources for public purposes, or a cooperative management agreement with, or transfer to, another unit of government."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the first semicolon, insert "exempting certain tax-forfeited lands from the prohibition on their sale;"

Amend the title numbers accordingly

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

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 676:** A bill for an act relating to public safety; increasing penalties for obstructing traffic access to a trunk highway or airport; amending the crime of obstructing transit; amending Minnesota Statutes 2016, sections 160.2715; 609.855, subdivision 2.

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 2016, section 609.74, is amended to read:

**609.74 PUBLIC NUISANCE.**

(a) Whoever by an act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

(1) maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort, or repose of any considerable number of members of the public; or

(2) except as provided in paragraph (b), interferes with, obstructs, or renders dangerous for passage, any public highway or right-of-way, or waters used by the public; or

(3) is guilty of any other act or omission declared by law to be a public nuisance and for which no sentence is specifically provided.

(b) It is a gross misdemeanor for a person to interfere with or obstruct traffic that is entering, exiting, or on a freeway or entering, exiting, or on a public roadway within the boundaries of airport property with the intent to interfere with, obstruct, or otherwise disrupt traffic. This paragraph does not apply to the actions of law enforcement or other emergency responders, road or airport authorities, or utility officials, or their agents, employees, or contractors when carrying out duties imposed by law or contract. For purposes of this paragraph: (1) "airport" means an airport that has a control

tower and airline service; and (2) "freeway" means a divided highway whose only access and egress for vehicular traffic is from entrance and exit ramps.

**EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 609.855, subdivision 2, is amended to read:

Subd. 2. **Unlawful interference with transit operator.** (a) Whoever intentionally commits an act that interferes with or obstructs, or tends to interfere with or obstruct, the operation of a transit vehicle is guilty of ~~unlawful interference with a transit operator~~ a crime and may be sentenced as provided in paragraph (c).

(b) An act ~~that is~~ committed on a transit vehicle that distracts the driver from the safe operation of the vehicle, restricts passenger access to the transit vehicle, or ~~that~~ endangers passengers is a violation of this subdivision if an authorized transit representative has clearly warned the person once to stop the act.

(c) A person who violates this subdivision may be sentenced as follows:

(1) to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both, if the violation was accompanied by force or violence or a communication of a threat of force or violence; or

(2) to imprisonment for not more than ~~90 days~~ one year or to payment of a fine of not more than ~~\$1,000~~ \$3,000, or both, if the violation was not accompanied by force or violence or a communication of a threat of force or violence.

**EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes committed on or after that date."

Amend the title numbers accordingly

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

#### REPORT OF VOTES IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Schoen amendment to S.F. No. 676.

There were yeas 3 and nays 6, as follows:

Those who voted in the affirmative were:

Senators Latz, Pappas, and Schoen.

Those who voted in the negative were:

Senators Anderson, B.; Hall; Ingebrigtsen; Johnson; Limmer; and Relph.

The amendment was not adopted.



Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion that S.F. No. 676 be recommended to pass.

There were yeas 7 and nays 2, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Hall; Ingebrigtsen; Johnson; Latz; Limmer; and Relph.

Those who voted in the negative were:

Senators Pappas and Schoen.

The bill was recommended to pass.

**Senator Miller from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred**

**S.F. No. 369:** A bill for an act relating to construction codes; modifying water conditioning installation requirements; amending Minnesota Statutes 2016, sections 326B.50, subdivisions 3, 4, by adding subdivisions; 326B.55; proposing coding for new law in Minnesota Statutes, chapter 326B.

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 2016, section 326B.435, subdivision 2, is amended to read:

Subd. 2. **Powers; duties; administrative support.** (a) The board shall have the power to:

(1) elect its chair, vice-chair, and secretary;

(2) adopt bylaws that specify the duties of its officers, the meeting dates of the board, and containing such other provisions as may be useful and necessary for the efficient conduct of the business of the board;

(3) adopt the Plumbing Code that must be followed in this state and any Plumbing Code amendments thereto. The Plumbing Code shall include the minimum standards described in sections 326B.43, subdivision 1, and 326B.52, subdivision 1. The board shall adopt the Plumbing Code and any amendments thereto pursuant to chapter 14 and as provided in subdivision 6, paragraphs (b), (c), and (d);

(4) review requests for final interpretations and issue final interpretations as provided in section 326B.127, subdivision 5;

(5) adopt rules that regulate the licensure, certification, or registration of plumbing contractors, journeymen, unlicensed individuals, master plumbers, restricted master plumbers, restricted journeymen, restricted plumbing contractors, backflow prevention rebuilders and testers, water conditioning contractors, and water conditioning installers, and other persons engaged in the design,

installation, and alteration of plumbing systems or engaged in or working at the business of water conditioning installation or service, or engaged in or working at the business of medical gas system installation, maintenance, or repair, except for those individuals licensed under section 326.02, subdivisions 2 and 3. The board shall adopt these rules pursuant to chapter 14 and as provided in subdivision 6, paragraphs (e) and (f);

(6) adopt rules that regulate continuing education for individuals licensed as master plumbers, journeyman plumbers, restricted master plumbers, restricted journeyman plumbers, registered unlicensed individuals, water conditioning ~~contractors~~ masters, and water conditioning ~~installers~~ journeyman, and for individuals certified under sections 326B.437 and 326B.438. The board shall adopt these rules pursuant to chapter 14 and as provided in subdivision 6, paragraphs (e) and (f);

(7) refer complaints or other communications to the commissioner, whether oral or written, as provided in subdivision 8, that allege or imply a violation of a statute, rule, or order that the commissioner has the authority to enforce pertaining to code compliance, licensure, or an offering to perform or performance of unlicensed plumbing services;

(8) approve per diem and expenses deemed necessary for its members as provided in subdivision 3;

(9) approve license reciprocity agreements;

(10) select from its members individuals to serve on any other state advisory council, board, or committee; and

(11) recommend the fees for licenses, registrations, and certifications.

Except for the powers granted to the Plumbing Board, the Board of Electricity, and the Board of High Pressure Piping Systems, the commissioner of labor and industry shall administer and enforce the provisions of this chapter and any rules promulgated pursuant thereto.

(b) The board shall comply with section 15.0597, subdivisions 2 and 4.

(c) The commissioner shall coordinate the board's rulemaking and recommendations with the recommendations and rulemaking conducted by the other boards created pursuant to this chapter. The commissioner shall provide staff support to the board. The support includes professional, legal, technical, and clerical staff necessary to perform rulemaking and other duties assigned to the board. The commissioner of labor and industry shall supply necessary office space and supplies to assist the board in its duties.

Sec. 2. Minnesota Statutes 2016, section 326B.50, subdivision 3, is amended to read:

Subd. 3. **Water conditioning installation.** "Water conditioning installation" means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical or bacterial content, said installation to be made in a water distribution system serving:

(1) a single family residential unit, which has been initially established by a licensed plumber, and does not involve a direct connection without an air gap to a soil or waste pipe; or

(2) a multifamily or nonresidential building, where the plumbing installation has been initially established by a licensed plumber. Isolation valves shall be required for all water conditioning installations and shall be readily accessible. Water conditioning installation does not include:

(i) a valve that allows isolation of the water conditioning installation;

(ii) piping greater than two-inch nominal pipe size; or

(iii) a direct connection without an air gap to a soil or waste pipe.

Sec. 3. Minnesota Statutes 2016, section 326B.50, is amended by adding a subdivision to read:

Subd. 5. **Direct supervision.** The term "direct supervision," with respect to direct supervision of a registered unlicensed individual, means that:

(1) at all times while the registered unlicensed individual is performing water conditioning installation work, a direct supervisor is present at the location where the registered unlicensed individual is working;

(2) the direct supervisor is physically present and immediately available to the registered unlicensed individual at all times for assistance and direction;

(3) any form of electronic supervision does not meet the requirement of being physically present;

(4) the direct supervisor reviews the water conditioning installation work performed by the registered unlicensed individual before the water conditioning installation is operated; and

(5) the direct supervisor determines that all water conditioning installation work performed by the registered unlicensed individual is performed in compliance with sections 326B.50 to 326B.59, all rules adopted under these sections, the Minnesota Plumbing Code, and all orders issued under section 326B.082.

Sec. 4. Minnesota Statutes 2016, section 326B.50, is amended by adding a subdivision to read:

Subd. 6. **Direct supervisor.** "Direct supervisor" means a master plumber, journeyman plumber, restricted master plumber, restricted journeyman plumber, water conditioning master, or water conditioning journeyman responsible for providing direct supervision of a registered unlicensed individual.

Sec. 5. Minnesota Statutes 2016, section 326B.55, subdivision 2, is amended to read:

Subd. 2. **Qualifications for licensing.** (a) A water conditioning master license shall be issued only to an individual who has demonstrated skill in planning, superintending, ~~and~~ servicing, ~~and~~ installing water conditioning installations, and has successfully passed the examination for water conditioning masters. A water conditioning journeyman license shall only be issued to an individual other than a water conditioning master who has demonstrated practical knowledge of water conditioning installation, and has successfully passed the examination for water conditioning journeymen. A water conditioning journeyman must successfully pass the examination for water conditioning masters before being licensed as a water conditioning master.

(b) Each water conditioning contractor must designate a responsible licensed master plumber or a responsible licensed water conditioning master, who shall be responsible for the performance of all water conditioning installation and servicing in accordance with the requirements of sections 326B.50 to 326B.59, all rules adopted under sections 326B.50 to 326B.59, the Minnesota Plumbing Code, and all orders issued under section 326B.082. If the water conditioning contractor is an individual or sole proprietorship, the responsible licensed master must be the individual, proprietor, or managing employee. If the water conditioning contractor is a partnership, the responsible licensed master must be a general partner or managing employee. If the water conditioning contractor is a limited liability company, the responsible licensed master must be a chief manager or managing employee. If the water conditioning contractor is a corporation, the responsible licensed master must be an officer or managing employee. If the responsible licensed master is a managing employee, the responsible licensed master must be actively engaged in performing water conditioning work on behalf of the water conditioning contractor and cannot be employed in any capacity as a water conditioning master or water conditioning journeyman for any other water conditioning contractor. An individual must not be the responsible licensed master for more than one water conditioning contractor.

(c) All applications and renewals for water conditioning contractor licenses shall include a verified statement that the applicant or licensee has complied with paragraph (b).

(d) Each application and renewal for a water conditioning master license, water conditioning journeyman license, or a water conditioning contractor license shall be accompanied by all fees required by section 326B.092.

Sec. 6. Minnesota Statutes 2016, section 326B.55, subdivision 4, is amended to read:

Subd. 4. **Plumber's apprentices.** (a) A plumber's apprentice who is registered under section 326B.47 is authorized to assist in water conditioning installation and water conditioning servicing only while under the direct supervision of a master plumber, journeyman plumber, restricted master plumber, restricted journeyman plumber, water conditioning master, or water conditioning journeyman. The master or journeyman is responsible for ensuring that all water conditioning work performed by the plumber's apprentice complies with the plumbing code and rules adopted under sections 326B.50 to 326B.59. The supervising master or journeyman must be licensed and must be employed by the same employer as the plumber's apprentice. Licensed individuals shall not permit plumber's apprentices to perform water conditioning work except under the direct supervision of an individual actually licensed to perform such work. Plumber's apprentices shall not supervise the performance of plumbing work or make assignments of plumbing work to unlicensed individuals.

(b) Water conditioning contractors employing plumber's apprentices to perform water conditioning work shall maintain records establishing compliance with this subdivision that shall identify all plumber's apprentices performing water conditioning work, and shall permit the department to examine and copy all such records.

Sec. 7. **[326B.555] REGISTERED UNLICENSED INDIVIDUALS.**

Subdivision 1. Registration; supervision; records. (a) All unlicensed individuals engaged in water conditioning installation must be registered under subdivision 3.

(b) A registered unlicensed individual is authorized to assist in water conditioning installations in a single family residential unit only when a master plumber, journeyman plumber, restricted master plumber, restricted journeyman plumber, water conditioning master, or water conditioning journeyman is available and responsible for ensuring that all water conditioning installation work performed by the unlicensed individual complies with the applicable provisions of the plumbing and water conditioning codes and rules adopted pursuant to such codes. For all other water conditioning installation work, the registered unlicensed individual must be under the direct supervision of a responsible licensed water conditioning master.

(c) Water conditioning contractors employing registered unlicensed individuals to perform water conditioning installation work shall maintain records establishing compliance with this subdivision that shall identify all unlicensed individuals performing water conditioning installations, and shall permit the department to examine and copy all such records.

Subd. 2. **Journeyman exam.** A registered unlicensed individual who has completed 875 hours of practical water conditioning installation, servicing, and training is eligible to take the water conditioning journeyman examination. Up to 100 hours of practical water conditioning installation and servicing experience prior to becoming a registered unlicensed individual may be applied to the practical experience requirement. However, none of this practical experience may be applied if the unlicensed individual did not have any practical experience in the 12-month period immediately prior to becoming a registered unlicensed individual.

Subd. 3. **Registration, renewals, and fees.** An unlicensed individual may register by completing and submitting to the commissioner an application form provided by the commissioner, with all fees required by section 326B.58. A completed application form must state the date, the individual's age, schooling, previous experience and employer, and other information required by the commissioner. The plumbing board may prescribe rules, not inconsistent with this section, for the registration of unlicensed individuals. Applications for initial registration may be submitted at any time. Registration must be renewed annually and shall be for the period from July 1 of each year to June 30 of the following year."

Amend the title accordingly

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

**Senator Miller from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred**

**S.F. No. 899:** A bill for an act relating to employment; exempting temporary or seasonal agricultural workers from overtime requirements; amending Minnesota Statutes 2016, section 177.23, subdivision 7.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Agriculture, Rural Development, and Housing Finance. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1031, 1030, 770, 180, 93, 482, 815, 589, 960, 736, 1086, 530, 676, and 369 were read the second time.

**MEMBERS EXCUSED**

Senators Carlson, Cohen, Franzen, Kent, Klein, Pappas, and Torres Ray were excused from the Session of today from 12:00 to 12:15 p.m.

**ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Thursday, February 23, 2017. The motion prevailed.

Upon its adjournment, the Senate attended the Joint Convention in the House Chamber to elect members to the Board of Regents of the University of Minnesota.

Cal R. Ludeman, Secretary of the Senate