

## TWENTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 6, 2017

The Senate met at 11:00 a.m. 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. Elizabeth Flomo.

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.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communication was received.

March 2, 2017

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

Pursuant to Minnesota Statutes 2016, 3.8842, I am pleased to appoint Senators Rosen, Housley, and Miller to the Legislative Commission on Minnesota Sports Facilities.

Sincerely,  
Paul E. Gazelka  
Senate Majority Leader

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 212, 330, 444, and 600.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 2, 2017

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 212:** A bill for an act relating to insurance producers; regulating payment of commissions by issuers of individual health plans; amending Minnesota Statutes 2016, sections 60K.31, by adding a subdivision; 60K.48, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1106, now on General Orders.

**H.F. No. 330:** A bill for an act relating to local government; requiring at least a two-thirds vote of a quorum to impose an interim ordinance relating to housing; requiring a public hearing after ten-day notice before imposing an interim ordinance relating to housing; amending Minnesota Statutes 2016, section 462.355, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 201, now on General Orders.

**H.F. No. 444:** A bill for an act relating to securities; modifying the MNvest registration exemption; amending Minnesota Statutes 2016, section 80A.461.

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

**H.F. No. 600:** 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 580, now on General Orders.

**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 re-referred**

**S.F. No. 514:** A bill for an act relating to elections; modifying provisions related to elections and election administration; establishing a voting equipment grant; establishing uniform election dates, polling place hours, and polling places; requiring counties to administer school district elections; requiring additional voter data to be public; modifying voter status challenge provisions; establishing a provisional ballot system; appropriating money; amending Minnesota Statutes 2016, sections 3.088, subdivision 1; 13.607, by adding a subdivision; 13.6905, subdivision 33; 13.841, subdivision 3; 13.851, subdivision 10; 103B.545, subdivision 2; 123A.46, subdivision 12; 123A.48, subdivisions 14, 15; 123B.09, subdivision 5b; 123B.63, subdivision 3; 126C.17, subdivision 11; 126C.69, subdivision 11; 128D.05, subdivision 2; 200.02, subdivision 4, by adding subdivisions; 201.022, subdivision 1; 201.061, subdivisions 3, 6; 201.091, subdivision 4; 201.121, subdivision 3; 201.225, subdivisions 1, 2, 6; 201.27, subdivision 2; 203B.01, subdivision 2; 203B.04, subdivision 1; 203B.05, subdivision 2; 203B.081, subdivision 1; 203B.085; 203B.11, subdivision 1; 203B.121, subdivisions 1, 2; 203B.15; 204B.09, subdivision 3; 204B.13, subdivision 1; 204B.16, subdivisions 1, 1a; 204B.181, subdivision 2; 204B.21, subdivision 2, by adding a subdivision; 204B.25, subdivision 4; 204B.29; 204B.32; 204B.40; 204B.46; 204C.08, subdivision 4; 204C.10; 204C.12, subdivisions 1, 2; 204C.14, subdivision 1; 204C.20, subdivision 4; 204C.25; 204C.26, subdivision 3; 204C.27; 204C.28, subdivision 3; 204C.29, subdivision 1; 204C.32, subdivision 2; 204C.33, subdivision 3; 204C.36, subdivisions 1, 2, 3, 5; 204D.09, subdivision 1; 204D.19, by adding a subdivision; 205.065, subdivision 5; 205.07, subdivisions 1, 3; 205.10, subdivision 4, by adding a subdivision; 205A.03, subdivisions 3, 4; 205A.04, subdivision 3; 205A.05, subdivisions 1, 2, 3, by adding a subdivision; 205A.055, subdivision 2; 205A.06, subdivisions 1, 1a, 2, 5; 205A.07, subdivisions 1, 2, 3, 3a, 3b; 205A.08, subdivision 5; 205A.10, subdivisions 1, 2, 3, 5; 205A.11, subdivision 2a; 206.805, subdivision 1; 208.04, subdivision 1; 209.021, subdivision 3; 211B.11, subdivision 1; 216B.46; 241.065, subdivision 2; 365A.06, subdivision 2; 367.33, subdivision 1; 375.101, subdivision 1; 375B.07, subdivision 2; 375B.10; 383B.031, subdivision 1; 383E.24, subdivision 7; 410.10, subdivision 1; 447.32, subdivision 2; 475.59; proposing coding for new law in Minnesota Statutes, chapters 201; 204C; repealing Minnesota Statutes 2016, sections 201.096; 201.15; 201.155; 201.157; 201.158; 204B.16, subdivision 3; 204C.12, subdivisions 3, 4; 205.10, subdivision 3; 205.175; 205A.09; 205A.11, subdivisions 2, 3; 205A.12, subdivision 5a.

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

Page 51, after line 18, insert:

"Section 1. Minnesota Statutes 2016, section 13.15, subdivision 4, is amended to read:

Subd. 4. **Use of electronic access data.** Electronic access data may be disseminated:

(1) to the commissioner for the purpose of evaluating electronic government services;

(2) to another government entity or a federal law enforcement agency to prevent or report unlawful intrusions into government electronic systems; or

(3) as otherwise provided by law."

Page 56, line 5, after "offense" insert "under the commissioner's jurisdiction"

Page 58, line 32, delete "not public" and insert "private"

Page 62, delete section 16 and insert:

"Sec. 17. Minnesota Statutes 2016, section 204C.14, subdivision 1, is amended to read:

Subdivision 1. **Violations; penalty.** (a) No individual shall intentionally:

~~(a)~~ (1) misrepresent the individual's identity in applying for a ballot, depositing a ballot in a ballot box, requesting a provisional ballot or requesting that a provisional ballot be counted, or attempting to vote by means of a voting machine or electronic voting system;

~~(b)~~ (2) vote more than once at the same election;

~~(c)~~ (3) put a ballot in a ballot box for any illegal purpose;

~~(d)~~ (4) give more than one ballot of the same kind to an election judge to be placed in a ballot box;

~~(e)~~ (5) aid, abet, counsel or procure another to go into any precinct for the purpose of voting in that precinct, knowing that the other individual is not eligible to vote in that precinct; ~~or~~

~~(f)~~ (6) aid, abet, counsel or procure another to do any act in violation of this section; or

(7) challenge a voter's eligibility to vote knowing that the challenge is not meritorious or acting in reckless disregard of whether the challenge is meritorious.

(b) A violation of this section is a felony."

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 Local Government. 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 motion that S.F. No. 514 be recommended to pass.

There were yeas 5 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Senators Latz, Pappas, and Schoen.

The bill was recommended to pass.

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

**S.F. No. 986:** A bill for an act relating to corrections; mental health screening; amending Minnesota Statutes 2016, sections 13.851, by adding a subdivision; 641.15, subdivision 3a.

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 13.851, is amended by adding a subdivision to read:

Subd. 11. **Mental health data sharing.** Section 641.15, subdivision 3a, provides for the sharing of data on prisoners who may have a mental illness or need services with county social service agencies or welfare system personnel.

Sec. 2. Minnesota Statutes 2016, section 641.15, subdivision 3a, is amended to read:

Subd. 3a. **Intake procedure; approved mental health screening; data sharing.** As part of its intake procedure for new prisoners, the sheriff or local corrections shall use a mental health screening tool approved by the commissioner of corrections, in consultation with the commissioner of human services and local corrections staff, to identify persons who may have a mental illness. Notwithstanding section 13.85, the sheriff or local corrections may share the names of persons who have screened positive or may have a mental illness with the local county social services agency. The sheriff or local corrections may refer a person to county personnel of the welfare system, as defined in section 13.46, subdivision 1, paragraph (c), in order to arrange for services upon discharge and may share private data on the individual as necessary to:

- (1) provide assistance in filling out an application for medical assistance or MinnesotaCare;
- (2) make a referral for case management as provided under section 245.467, subdivision 4;
- (3) provide assistance in obtaining a state photo identification;
- (4) secure a timely appointment with a psychiatrist or other appropriate community mental health provider;
- (5) provide prescriptions for a 30-day supply of all necessary medications; or
- (6) provide for behavioral health service coordination."

Delete the title and insert:

"A bill for an act relating to corrections; providing for sharing of mental health screening data on prisoners; amending Minnesota Statutes 2016, sections 13.851, by adding a subdivision; 641.15, subdivision 3a."

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

**S.F. No. 990:** A bill for an act relating to taxation; sales and use tax; allocating the estimated revenue from the sale of motor vehicle parts to the highway user tax distribution fund; amending Minnesota Statutes 2016, section 297A.94.

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

Page 2, line 12, delete "2017" and insert "2018"

Page 2, line 13, delete "\$150,000,000" and insert "\$300,000,000"

Page 2, line 14, delete "2016" and insert "2017"

Page 3, line 25, delete "2017" and insert "2018"

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

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

**S.F. No. 1067:** A bill for an act relating to human services; modifying certain provisions governing child care licensing; requiring reports; amending Minnesota Statutes 2016, sections 13.46, subdivision 4; 65A.30, subdivision 2; 245A.02, subdivision 2b; 245A.06, subdivision 2; 256.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Page 11, lines 8, 12, and 15, delete the new language and reinstate the stricken language

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety 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. 1147:** A bill for an act relating to game and fish; modifying blaze orange hunting requirements to allow blaze pink; amending Minnesota Statutes 2016, section 97B.071.

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

Page 2, delete section 2

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. 1042:** A bill for an act relating to state lands; modifying certain boathouse lease terms; amending Laws 2000, chapter 486, section 4, 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. Laws 2000, chapter 486, section 4, as amended by Laws 2001, chapter 182, section 2, is amended to read:

**Sec. 4. [BOATHOUSE LEASES; SOUDAN UNDERGROUND MINE STATE PARK.]**

(a) In 1965, United States Steel Corporation conveyed land to the state of Minnesota that was included in the Soudan underground mine state park, with certain lands at Stuntz Bay subject to leases outstanding for employee boathouse sites.

(b) Notwithstanding Minnesota Statutes, sections 85.011, 85.012, subdivision 1, and 86A.05, subdivision 2, upon the expiration of a boathouse lease described under paragraph (a), the commissioner of natural resources shall offer a new lease to the party in possession at the time of lease expiration, or, if there has been a miscellaneous lease issued by the Department of Natural Resources due to expiration of a lease described under paragraph (a), upon its expiration to the lessee. The new lease shall be issued under the terms and conditions of Minnesota Statutes, section 92.50, ~~with the following limitations~~ except as follows:

(1) the term of the lease shall be for the lifetime of the party being issued a renewed lease and, if transferred, for the lifetime of the party to whom the lease is transferred;

(2) the new lease shall provide that the lease may be transferred only once and the transfer must be to a person within the third degree of kindred or first cousin according to civil law; ~~and~~

(3) the commissioner shall limit the number of lessees per lease to no more than two persons who have attained legal age; and

(4) the lease amount must not exceed 50 percent of the average market rate, based on comparable private lease rates, as determined once every five years per lease.

At the time of the new lease, the commissioner may offer, and after agreement with the leaseholder, lease equivalent alternative sites to the leaseholder.

(c) The commissioner shall not cancel a boathouse lease described under paragraphs (a) and (b) except for noncompliance with the lease agreement.

(d) The commissioner must issue a written receipt to the lessee for each lease payment.

~~(d)~~ (e) By January 15, 2001, the commissioner of natural resources shall report to the senate and house environment and natural resources policy and finance committees on boathouse leases in state parks. The report shall include information on:

- (1) the number of boathouse leases;
- (2) the number of leases that have forfeited;
- (3) the expiration dates of the leases;
- (4) the historical significance of the boathouses;
- (5) recommendations on the inclusion of the land described in paragraph ~~(d)~~ (f) within the park boundary; and
- (6) any other relevant information on the leases.

~~(e)~~ (f) The commissioner of natural resources shall contact U.S.X. Corporation and local units of government regarding the inclusion of the following lands within Soudan underground mine state park:

- (1) all lands located South of Vermillion Lake shoreline in Section 13, Township 62 North, Range 15 West;
- (2) all lands located South of Vermillion Lake shoreline in the S1/2-SE1/4 of Section 14, Township 62 North, Range 15 West;
- (3) NE1/4-SE1/4 and E1/2-NE1/4 of Section 22, Township 62 North, Range 15 West;
- (4) all lands located South of Vermillion Lake shoreline in Section 23, Township 62 North, Range 15 West;
- (5) all of Section 24, Township 62 North, Range 15 West;
- (6) all lands North of trunk highway No. 169 located in Section 25, Township 62 North, Range 15 West;
- (7) all lands North of trunk highway No. 169 located in Section 26, Township 62 North, Range 15 West;
- (8) NE1/4-SE1/4 and SE1/4-NE1/4 of Section 27, Township 62 North, Range 15 West; and
- (9) NW1/4 of Section 19, Township 62 North, Range 14 West.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to monthly lease payments made on or after that date."

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. 1087:** A bill for an act relating to environment; modifying permitting requirements; providing expedited environmental-review billing options; modifying reclamation appeal provisions; eliminating Environmental Quality Board and reassigning duties; amending Minnesota Statutes 2016, sections 3.886, subdivision 4; 13.7411, subdivision 9; 18B.045; 18E.06; 84.027, subdivisions 14a, 14b, by adding subdivisions; 93.50; 103A.204; 103B.101, subdivision 9; 103B.151; 103B.315, subdivision 5; 103H.151, subdivision 4; 103H.175, subdivision 3; 115A.32; 115A.33; 115A.34; 115A.35; 115A.36; 115A.37; 115A.38, subdivisions 1, 3; 115A.39; 115B.20, subdivision 6; 116.03, subdivision 2b, by adding a subdivision; 116.07, subdivision 4d, by adding subdivisions; 116C.74, subdivision 2; 116C.91, by adding a subdivision; 116C.92; 116C.94; 116C.95; 116C.96; 116C.97; 116C.99, subdivisions 2, 3; 116C.991; 116C.992; 116D.04, subdivisions 2a, 3a, 5b, 10, 13, 14; 116D.045, subdivision 1; 116F.06, subdivision 2; 216B.243, subdivision 7; 216C.18, subdivision 2; repealing Minnesota Statutes 2016, sections 103A.403; 103A.43; 103F.614; 116C.02; 116C.03, subdivisions 1, 2, 2a, 3a, 4, 5, 6; 116C.04, subdivisions 1, 2, 3, 4, 7, 10, 11; 116C.06; 116C.08; 116C.71, subdivisions 1c, 2a; 116C.721; 116C.722; 116C.724, subdivisions 2, 3; 116C.91, subdivision 2; 116G.03, subdivision 2.

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 Rosen from the Committee on Finance, to which was referred**

**H.F. No. 400:** A bill for an act relating to state contracts; requiring that the vendor not engage in discrimination against Israel; amending Minnesota Statutes 2016, section 16C.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Delete everything after the enacting clause and insert:

**"Section 1. [3.226] CONTRACTS WITH VENDORS WHO DISCRIMINATE AGAINST ISRAEL PROHIBITED.**

Subdivision 1. **Discrimination by vendor.** (a) The legislature may not enter into a contract with a vendor that engages in discrimination against Israel, or against persons or entities doing business in Israel, when making decisions related to the operation of the vendor's business.

(b) For purposes of this section, "discrimination" includes but is not limited to engaging in refusals to deal, terminating business activities, or other actions that are intended to limit commercial relations with Israel, or persons or entities doing business in Israel, when such actions are taken in a manner that in any way discriminates on the basis of nationality or national origin and is not based on a valid business reason.

Subd. 2. **Exemption; legislature may waive.** (a) This section does not apply to contracts with a value of less than \$1,000.

(b) The legislature may waive application of this section on a contract if the legislature determines that compliance is not practicable or in the best interests of the state.

Subd. 3. **Relation to existing law.** This section does not prohibit a vendor from engaging in free speech or expression protected under the First Amendment of the United States Constitution or the Constitution of the state of Minnesota.

**Sec. 2. [3.227] CERTIFICATION OF COMPLIANCE WITH THIS CHAPTER.**

The legislature shall require that the terms of any contract include a certification of the vendor's compliance with all requirements of this chapter in entering and executing the contract.

**Sec. 3. [16C.053] CONTRACTS WITH VENDORS WHO DISCRIMINATE AGAINST ISRAEL PROHIBITED.**

Subdivision 1. **Discrimination by vendor.** (a) A state agency may not enter into a contract with a vendor that engages in discrimination against Israel, or against persons or entities doing business in Israel, when making decisions related to the operation of the vendor's business.

(b) For purposes of this section, "discrimination" includes but is not limited to engaging in refusals to deal, terminating business activities, or other actions that are intended to limit commercial relations with Israel, or persons or entities doing business in Israel, when such actions are taken in a manner that in any way discriminates on the basis of nationality or national origin and is not based on a valid business reason.

Subd. 2. **Exemption; commissioner may waive.** (a) This section does not apply to contracts with a value of less than \$1,000.

(b) The commissioner may waive application of this section on a contract if the commissioner determines that compliance is not practicable or in the best interests of the state.

Subd. 3. **Relation to existing law.** This section does not prohibit a vendor from engaging in free speech or expression protected under the First Amendment of the United States Constitution or the Constitution of the state of Minnesota.

Sec. 4. Minnesota Statutes 2016, section 16C.06, is amended by adding a subdivision to read:

Subd. 12. **Certification of compliance with this chapter.** The commissioner shall require that the terms of any contract include a certification of the vendor's compliance with all requirements of this chapter in entering and executing the contract.

**Sec. 5. EFFECTIVE DATE.**

Sections 1, 2, 3, and 4 are effective July 1, 2017, and apply to contracts entered into on or after that date."

Amend the title numbers accordingly

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

**Senator Rosen from the Committee on Finance, 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 placed on the Consent Calendar. Report adopted.

**Senator Rosen from the Committee on Finance, to which was referred**

**H.F. No. 234:** A bill for an act relating to energy; amending Public Utilities Commission regulation of municipal electric utilities and rural electric cooperatives; amending Minnesota Statutes 2016, section 216B.164, subdivisions 5, 9, by adding a subdivision.

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

**Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 1130:** A bill for an act relating to veterans; establishing a veterans preference in hiring in the legislature and state courts; proposing coding for new law in Minnesota Statutes, chapters 3; 480.

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

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2016, section 197.455, subdivision 1, is amended to read:

Subdivision 1. **Application.** (a) This section shall govern preference of a veteran under the civil service laws, charter provisions, ordinances, rules or regulations of a county, home rule charter or statutory city, town, school district, or other municipality or political subdivision of this state. Any provision in a law, charter, ordinance, rule or regulation contrary to the applicable provisions of this section is void to the extent of such inconsistency.

(b) Sections 197.46 to 197.481 also apply to a veteran who is an incumbent in a classified appointment in the state civil service, legislature, and state courts and has completed the probationary period for that position, as defined under ~~section~~ sections 3.071, 43A.16, and 480.238. In matters of dismissal from such a position, a qualified veteran has the irrevocable option of using the procedures described in sections 197.46 to 197.481, or the procedures provided in the collective bargaining agreement applicable to the person, but not both. For a qualified veteran electing to use the procedures of sections 197.46 to 197.481, the matters governed by those sections must not be considered grievances under a collective bargaining agreement, and if a veteran elects to appeal the dispute through those sections, the veteran is precluded from making an appeal under the grievance procedure of the collective bargaining agreement.

(c) A county, home rule charter or statutory city, town, school district, or other municipality or political subdivision may require a veteran to complete an initial hiring probationary period, as defined under section 43A.16. In matters of dismissal, a veteran employed by a county, home rule charter or statutory city, town, school district, or other municipality or political subdivision is entitled to the same rights and legal protections that state employees receive under paragraph (b).

Sec. 3. **[480.238] VETERANS PREFERENCE IN HIRING.**

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "disabled veteran" means a person who has a compensable service-connected disability as adjudicated by the United States Veterans Administration, or by the retirement board of one of the several branches of the armed forces, which exists at the time preference is claimed; and

(2) "recently separated veteran" means a veteran, as defined in section 197.447, who has served in active military service, at any time on or after September 11, 2001, and who has been honorably discharged from active service, as shown by the person's form DD-214.

Subd. 2. **Ranking of veterans.** Applicants who meet the minimum qualifications for a vacant position in a state court and claim disabled veterans preference shall be listed in the applicant pool ahead of all other applicants. Applicants who meet the minimum qualifications for a vacant position and claim nondisabled veterans preference shall be listed in the applicant pool after those claiming disabled veterans preference and ahead of nonveterans. Each recently separated veteran who meets minimum qualifications for a vacant position and has claimed a veterans or disabled veterans preference must be considered for the position. The top five recently separated veterans must be granted an interview for the position.

Subd. 3. **Notification.** The court administrator or hiring authority, when notifying applicants that they have been accepted into the selection process, shall notify applicants that they may elect to use veterans preference.

Subd. 4. **Rejection; explanation.** If the court administrator or hiring authority rejects a member of the finalist pool who has claimed veterans preference, the court administrator or hiring authority shall notify the finalist in writing of the reasons for the rejection.

Subd. 5. **Preference for spouses.** A preference available pursuant to this section may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify."

Amend the title numbers accordingly

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 Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 568:** A bill for an act relating to taxation; property; providing a reduced class rate for congressionally chartered veterans organizations; amending Minnesota Statutes 2016, section 273.13, subdivision 25.

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

**Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 1541:** A bill for an act relating to taxation; individual income; modifying the credit for past military service; amending Minnesota Statutes 2016, section 290.0677, subdivision 1a.

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

**Senator Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 1209:** A bill for an act relating to military veterans; providing certain disclosure requirements related to veterans benefits services; requiring the commissioner of veterans affairs to develop a disclosure statement; amending Minnesota Statutes 2016, section 196.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 197.

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 Anderson, B. from the Committee on Veterans and Military Affairs Finance and Policy, to which was referred**

**S.F. No. 76:** A bill for an act relating to taxation; individual income; modifying the credit for past military service; amending Minnesota Statutes 2016, section 290.0677, subdivisions 1a, 2.

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

**Senator Fischbach from the Committee on Higher Education Finance and Policy, to which was referred**

**S.F. No. 1040:** A bill for an act relating to higher education; establishing a county scholarship program funded by mineral royalties; proposing coding for new law in Minnesota Statutes, chapter 298.

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

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

**S.F. No. 700:** A bill for an act relating to energy; amending the terms of a contract for a biomass project; amending Minnesota Statutes 2016, section 216B.2424, subdivisions 2, 3.

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 216B.2424, is amended by adding a subdivision to read:

Subd. 9. **Adjustment of biomass fuel requirement.** (a) Notwithstanding any provision in this section, a public utility that operates a nuclear-powered electric generating plant may file a petition with the commission for approval of a new or amended power purchase agreement, or, with the agreement of all parties, the early termination of a power purchase agreement, with a facility that was previously approved to satisfy a portion of the biomass mandate in this section.

(b) A new or amended power purchase agreement under this subdivision may be approved by the commission regardless of the fuel requirements of this section if, by its terms:

(1) the new or amended power purchase agreement is in the best interest of the customers of the public utility that operates a nuclear-powered electric generating plant; and

(2) the new or amended power purchase agreement is in the best interest of the customers of a combined heat and power system operated by one or more municipal utilities.

(c) The termination of a power purchase agreement under this subdivision may be approved by the commission if:

(1) all parties to the power purchase agreement agree to the early termination of the agreement; and

(2) the termination of the power purchase agreement is in the best interest of the customers of the public utility that operates a nuclear-powered electric generating plant.

(d) A new or amended power purchase agreement approved under paragraph (b) may be for any term agreed to by the parties for any amount of energy agreed to by the parties.

(e) The approval of a new or amended power purchase agreement under paragraph (b), or the approval of a termination of a power purchase agreement under paragraph (c), shall not require the public utility that operates a nuclear-powered electric generation plant to purchase additional biomass energy under this section.

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

Delete the title and insert:

"A bill for an act relating to energy; allowing adjustment to the biomass fuel requirement by new or amended power purchase agreement or early termination; amending Minnesota Statutes 2016, section 216B.2424, by adding a subdivision."

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

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

**S.F. No. 561:** A bill for an act relating to telecommunications; providing for collocation of small wireless facilities; amending Minnesota Statutes 2016, sections 237.162, subdivisions 2, 3, 9, by adding subdivisions; 237.163, subdivisions 2, 4, 5, 6, 7, by adding subdivisions.

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 237.162, subdivision 2, is amended to read:

Subd. 2. **Local government unit.** "Local government unit" means a county, home rule charter or statutory city, ~~or town,~~ or the Metropolitan Council.

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

Sec. 2. Minnesota Statutes 2016, section 237.162, subdivision 4, is amended to read:

Subd. 4. **Telecommunications right-of-way user.** (a) "Telecommunications right-of-way user" means a person owning or controlling a facility in the public right-of-way, or seeking to own or control a facility in the public right-of-way, that is used or is intended to be used for transporting telecommunications or other voice or data information.

(b) A provider of wireless services using or seeking to use a small wireless facility authorized by a collocation permit approved under section 237.163, subdivision 3c, is a telecommunications right-of-way user for the purposes of this section and section 237.163.

(c) Neither a cable communication system defined and regulated under chapter 238, ~~and nor~~ with respect to the provision of telecommunications activities related to providing natural gas or electric energy services ~~whether provided by,~~ a public utility as defined in section 216B.02, a municipality, a municipal gas or power agency organized under chapter 453 or 453A, or a cooperative electric association organized under chapter 308A, ~~are not is~~ a telecommunications right-of-way ~~users~~ user for the purposes of this section and section 237.163, unless these entities are providing or seeking to provide wireless services using a small wireless facility authorized by a collocation permit approved under section 237.163, subdivision 3c.

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

Sec. 3. Minnesota Statutes 2016, section 237.162, subdivision 9, is amended to read:

Subd. 9. **Management costs or rights-of-way management costs.** (a) "Management costs" or "rights-of-way management costs" means the actual costs a local government unit incurs in managing

its public rights-of-way, and includes such costs, if incurred, as those associated with registering applicants; issuing, processing, and verifying right-of-way or collocation permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting, or moving user equipment during public right-of-way work; determining the adequacy of right-of-way restoration; restoring work inadequately performed after providing notice and the opportunity to correct the work; and revoking right-of-way or collocation permits.

(b) For an application for approval of a collocation permit under section 237.163, subdivision 3c, management costs do not include a fee charged by a third-party contractor of the local government unit for performance of any of the management activities in paragraph (a). Management costs do not include payment by a telecommunications right-of-way user for the use of the public right-of-way, any fee based on a telecommunications right-of-way user's revenues or number of customers, subscribers, access lines, or other performance measure, the fees and cost of litigation relating to the interpretation of this section or section 237.163 or any ordinance enacted under those sections, or the local unit of government's fees and costs related to appeals taken pursuant to section 237.163, subdivision 5.

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

Sec. 4. Minnesota Statutes 2016, section 237.162, is amended by adding a subdivision to read:

Subd. 10. **Collocate.** "Collocate" or "collocation" means to install, mount, maintain, modify, operate, or replace a small wireless facility on, under, within, or adjacent to an existing wireless support structure that is owned privately or by a local government unit.

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

Sec. 5. Minnesota Statutes 2016, section 237.162, is amended by adding a subdivision to read:

Subd. 11. **Small wireless facility.** "Small wireless facility" means a wireless facility that meets both of the following qualifications:

(1) each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements could fit within an enclosure of no more than six cubic feet; and

(2) all other wireless equipment associated with the facility, excluding electric meters, concealment elements, telecommunications demarcation boxes, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cable, conduit, vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment, is in aggregate no more than 28 cubic feet in volume.

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

Sec. 6. Minnesota Statutes 2016, section 237.162, is amended by adding a subdivision to read:

Subd. 12. **Utility pole.** "Utility pole" means a pole that is used in whole or in part to facilitate telecommunications or electric service.



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

Sec. 7. Minnesota Statutes 2016, section 237.162, is amended by adding a subdivision to read:

**Subd. 13. Wireless facility.** "Wireless facility" means an antenna, accessory equipment, or other wireless device or equipment used to provide wireless service.

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

Sec. 8. Minnesota Statutes 2016, section 237.162, is amended by adding a subdivision to read:

**Subd. 14. Wireless service.** "Wireless service" means any service using licensed or unlicensed wireless spectrum, whether at a fixed location or by means of a mobile device, that is provided using wireless facilities.

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

Sec. 9. Minnesota Statutes 2016, section 237.162, is amended by adding a subdivision to read:

**Subd. 15. Wireless support structure.** "Wireless support structure" means a pole, including but not limited to a monopole, light pole, traffic signal, arch, sign pole, kiosk, post, or utility pole, that is capable of supporting wireless facilities.

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

Sec. 10. Minnesota Statutes 2016, section 237.163, subdivision 2, is amended to read:

**Subd. 2. Generally.** (a) Subject to this section, a telecommunications right-of-way user authorized to do business under the laws of this state or by license of the Federal Communications Commission may construct, maintain, and operate small wireless facilities, conduit, cable, switches, and related appurtenances and facilities along, across, upon, above, and under any public right-of-way.

(b) Subject to this section, a local government unit has the authority to manage its public rights-of-way and to recover its rights-of-way management costs. Except as provided in subdivisions 3a, 3b, and 3c, the authority defined in this section may be exercised at the option of the local government unit. ~~The exercise of this authority and~~ is not mandated under this section. A local government unit may, by ordinance:

(1) require a telecommunications right-of-way user seeking to excavate or obstruct a public right-of-way for the purpose of providing telecommunications services to obtain a right-of-way permit to do so and to impose permit conditions consistent with the local government unit's management of the right-of-way;

(2) require a telecommunications right-of-way user using, occupying, or seeking to use or occupy a public right-of-way for the purpose of providing telecommunications services to register with the local government unit by providing the local government unit with the following information:

(i) the applicant's name, gopher state one-call registration number under section 216D.03, address, and telephone and facsimile numbers;

(ii) the name, address, and telephone and facsimile numbers of the applicant's local representative;

(iii) proof of adequate insurance; and

(iv) other information deemed reasonably necessary by the local government unit for the efficient administration of the public right-of-way; and

(3) require telecommunications right-of-way users to submit to the local government unit plans for construction and major maintenance that provide reasonable notice to the local government unit of projects that the telecommunications right-of-way user expects to undertake that may require excavation and obstruction of public rights-of-way.

(c) A local government unit may also require a telecommunications right-of-way user that is registered with the local government unit pursuant to paragraph (b), clause (2), to periodically update the information in its registration application.

(d) Notwithstanding sections 394.34 and 462.355, or any other law, a local government unit must not establish a moratorium with respect to:

(1) filing, receiving, or processing applications for right-of-way or collocation permits; or

(2) issuing or approving right-of-way or collocation permits.

(e) A telecommunications right-of-way user may collocate small wireless facilities on wireless support structures located within a public right-of-way, subject to the approval procedures under this section and, for collocation on wireless support structures owned by a local government unit, the reasonable terms, conditions, and rates set forth under this chapter. A local government unit may prohibit, regulate, or charge a fee to install wireless support structures or to collocate small wireless facilities only as provided in this chapter.

(f) A local government unit's zoning, land use, or other official controls must classify wireless support structures or small wireless facilities located in a public right-of-way as a permitted use. A telecommunications right-of-way user must not be required to obtain zoning approval to install, collocate, maintain, or repair a small wireless facility or a wireless support structure in a public right-of-way. This paragraph does not apply to areas outside a public right-of-way that are zoned and used for single family residential use.

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

Sec. 11. Minnesota Statutes 2016, section 237.163, is amended by adding a subdivision to read:

**Subd. 3a. Collocation permits; general.** (a) A local government unit:

(1) may require a telecommunications right-of-way user to obtain a permit or permits under this section to collocate a small wireless facility in a public right-of-way managed by the local government unit;

(2) must not require an applicant for a collocation permit to provide any information that:

(i) has previously been provided to the local government unit in prior permits or otherwise; and

(ii) is different from or in addition to the information the local government unit requires from a provider of nonwireless telecommunications services, except for information related to demonstrating compliance with applicable Federal Communications Commission regulations governing radio frequency exposure, or other information required by this section;

(3) must not require an applicant for a collocation permit to perform services unrelated to the collocation or collocations for which approval is sought;

(4) must ensure that any application for a collocation permit is processed on a nondiscriminatory basis; and

(5) must specify that the term of the collocation permit is equal to the length of time that the small wireless facility is in use, unless the permit is revoked under this section.

(b) An applicant may file a consolidated permit application to collocate up to 35 separate small wireless facilities. If a local government unit receives within a seven-day period applications from one or more wireless service providers seeking approval of more than 75 small wireless facilities in aggregate, the local government unit may, upon written notice to the applicants seeking collocation permits for the small wireless facilities exceeding the first 75 received, extend the review period specified in subdivision 3c by an additional 20 days with respect to those incremental small wireless facilities. An extension obtained under this paragraph does not prevent a further extension allowed under subdivision 3c, if mutually agreed to in writing by the applicant and the local government unit.

(c) A local government unit is prohibited from requiring a collocation permit for routine maintenance of a small wireless facility or for replacement of a small wireless facility with a new facility that is substantially similar or smaller in size, weight, height, and wind or structural loading than the small wireless facility being replaced. A local government unit may require a right-of-way permit if the maintenance or replacement work will obstruct a public right-of-way.

(d) Nothing in this subdivision affects the need for an entity seeking to place a small wireless facility on a wireless support structure that is not owned by a local government unit to obtain from the owner of the wireless support structure any necessary authority to place the small wireless facility, nor shall any provision of this chapter be deemed to affect the rates, terms, and conditions for access to or placement of a small wireless facility or a wireless support structure not owned by a local government unit. This subdivision shall not affect any existing agreement between a local government unit and an entity concerning the placement of small wireless facilities on local government unit-owned wireless support structures.

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

Sec. 12. Minnesota Statutes 2016, section 237.163, is amended by adding a subdivision to read:

**Subd. 3b. Collocation permits; placement.** (a) A local government unit may not require the placement of small wireless facilities on any specific utility pole or type of pole, or require multiple small wireless facilities to be placed on a single pole.

(b) A local government unit must not limit the placement of small wireless facilities, either by minimum separation distances or maximum height limitations, except that each wireless support

structure installed in the right-of-way after the effective date of this act must not exceed the greater of:

(1) ten feet in height above the tallest existing utility pole in place that is located within 500 feet of the new wireless support structure in the same right-of-way as of the effective date of this act; or

(2) 50 feet above ground level.

(c) Wireless facilities constructed in the right-of-way after the effective date of this act may not extend more than ten feet above an existing wireless support structure in place as of the effective date of this act.

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

Sec. 13. Minnesota Statutes 2016, section 237.163, is amended by adding a subdivision to read:

**Subd. 3c. Collocation permits; approval.** (a) Except as provided in subdivision 4, a local government unit shall issue a collocation permit to a telecommunications right-of-way user seeking to install a new or replacement wireless support structure for a small wireless facility, or to collocate a small wireless facility on a wireless support structure in a public right-of-way. In processing and approving a collocation permit, a local government unit may condition its approval on compliance with:

(1) generally applicable health, safety, and welfare conditions consistent with the local government unit's public right-of-way management;

(2) reasonable accommodations for decorative utility poles or signs; and

(3) any reasonable restocking, replacement, or relocation requirements when a new wireless support structure is placed in a public right-of-way.

(b) A local government unit has 90 days after the date a collocation permit is filed to issue or deny the permit, or the permit is automatically issued. To toll the 90-day clock, the local government unit must provide a written notice of incompleteness to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Information delineated in the notice is limited to documents or information publicly required as of the date of application and reasonably related to a local government unit's determination whether the proposed equipment falls within the definition of a small wireless facility and whether the proposed deployment satisfies all health, safety, and welfare regulations applicable to the collocation permit request. Upon an applicant's submittal of additional documents or information in response to a notice of incompleteness, the local government unit has ten days to notify the applicant in writing any information requested in the initial notice of incompleteness that is still missing. Second or subsequent notices of incompleteness may not specify documents or information that were not delineated in the original notice of incompleteness. Requests for information not requested in the initial notice of incompleteness do not toll the 90-day clock. Parties can mutually agree in writing to toll the 90-day clock at any time.

For the purposes of this subdivision, "toll the 90-day clock" means to halt the progression of days that count towards the 90-day deadline.

(c) Except as provided in subdivision 3a, paragraph (b), a collocation permit and any associated encroachment or building permit required by a local government unit, are deemed approved if the local government unit fails to approve or deny the application within 90 days after the permit application has been filed, unless the applicant and the local government unit have mutually agreed in writing to extend the 90-day deadline.

(d) Nothing in this subdivision precludes a local government unit from applying generally applicable health, safety, and welfare regulations in connection with evaluating a collocation permit application and its decision to approve or deny a collocation permit. For purposes of this subdivision, "generally applicable health, safety, and welfare regulations" mean uniform building, fire, electrical, plumbing, or mechanical codes that are adopted under Minnesota law or any structural analysis standard adopted by the American National Standards Institute.

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

Sec. 14. Minnesota Statutes 2016, section 237.163, subdivision 4, is amended to read:

Subd. 4. **Permit denial or revocation.** (a) A local government unit may deny any application for a right-of-way or collocation permit if the telecommunications right-of-way user does not comply with a provision of this section.

(b) A local government unit may deny an application for a right-of-way permit if the local government unit determines that the denial is necessary to protect the health, safety, and welfare or when necessary to protect the public right-of-way and its current use.

(c) A local government unit may revoke a right-of-way or collocation permit granted to a telecommunications right-of-way user, with or without fee refund, in the event of a substantial breach of the terms and conditions of statute, ordinance, rule, or regulation or any material condition of the permit. A substantial breach by a permittee includes, but is not limited to, the following:

(1) a material violation of a provision of the right-of-way or collocation permit;

(2) an evasion or attempt to evade any material provision of the right-of-way or collocation permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the local government unit or its citizens;

(3) a material misrepresentation of fact in the right-of-way or collocation permit application;

(4) a failure to complete work in a timely manner, unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittee's control; and

(5) a failure to correct, in a timely manner, work that does not conform to applicable standards, conditions, or codes, upon inspection and notification by the local government unit of the faulty condition.

(d) Subject to this subdivision, a local government unit may not deny an application for a right-of-way or collocation permit for failure to include a project in a plan submitted to the local

government unit under subdivision 2, paragraph (b), clause (3), when the telecommunications right-of-way user has used commercially reasonable efforts to anticipate and plan for the project.

(e) In no event may a local government unit unreasonably withhold approval of an application for a right-of-way permit, or unreasonably revoke a permit.

(f) Any denial or revocation of a right-of-way or collocation permit must be made in writing and must document the basis for the denial, including the specific regulations, codes, or standards supporting or requiring the denial. The local government unit must notify the telecommunications right-of-way user in writing within three days of the decision to deny or revoke a permit. If a permit application is denied, the telecommunications right-of-way user may cure the deficiencies identified by the local government unit and resubmit its application. If the telecommunications right-of-way user resubmits the application within 30 days of receiving written notice of the denial, it may not be charged an additional filing or processing fee. The local government unit must approve or deny the revised application within 30 days after the revised application is submitted.

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

Sec. 15. Minnesota Statutes 2016, section 237.163, subdivision 6, is amended to read:

Subd. 6. **Fees.** (a) A local government unit may recover its right-of-way management costs by imposing a fee for registration, a fee for each right-of-way permit, or, when appropriate, a fee applicable to a particular telecommunications right-of-way user when that user causes the local government unit to incur costs as a result of actions or inactions of that user. A local government unit may not recover from a telecommunications right-of-way user costs caused by another entity's activity in the right-of-way.

(b) Fees, or other right-of-way obligations, imposed by a local government unit on telecommunications right-of-way users under this section must be:

(1) based on the actual costs incurred by the local government unit in managing the public right-of-way;

(2) based on an allocation among all users of the public right-of-way, including the local government unit itself, which shall reflect the proportionate costs imposed on the local government unit by each of the various types of uses of the public rights-of-way;

(3) imposed on a competitively neutral basis; and

(4) imposed in a manner so that aboveground uses of public rights-of-way do not bear costs incurred by the local government unit to regulate underground uses of public rights-of-way.

(c) The rights, duties, and obligations regarding the use of the public right-of-way imposed under this section must be applied to all users of the public right-of-way, including the local government unit while recognizing regulation must reflect the distinct engineering, construction, operation, maintenance and public and worker safety requirements, and standards applicable to various users of the public rights-of-way. For users subject to the franchising authority of a local government unit, to the extent those rights, duties, and obligations are addressed in the terms of an

applicable franchise agreement, the terms of the franchise shall prevail over any conflicting provision in an ordinance.

(d) A wireless provider may collocate small wireless facilities on wireless support structures owned or controlled by a local government unit and located within the public roads or rights-of-way without being required to apply for or enter into any individual license, franchise, or other agreement with the local government unit or any other entity.

(e) Any initial engineering survey and preparatory construction work associated with collocation must be paid by the cost causer in the form of a onetime, nonrecurring, commercially reasonable, nondiscriminatory, and competitively neutral charge to recover the costs associated with a proposed attachment.

(f) The terms, rent, and conditions of collocation under this subdivision must be:

(1) set forth in the permit;

(2) nondiscriminatory, competitively neutral, and commercially reasonable; and

(3) compliant with this section, section 237.162, and federal pole attachment requirements under United States Code, title 47, section 224, and related implementing regulations governing the costs and process for any necessary engineering survey and preparatory construction work associated with preparing utility poles for collocation, including, as applicable, relocating existing attachments, and upgrading or replacing a utility pole.

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

Sec. 16. Minnesota Statutes 2016, section 237.163, is amended by adding a subdivision to read:

Subd. 9. **Authorized contractors.** (a) Nothing in this section precludes a telecommunications right-of-way user from authorizing another entity or individual to act on its behalf to install, construct, maintain, or repair a facility or facilities owned or controlled by the telecommunications right-of-way user.

(b) A local government unit is prohibited from imposing fees or requirements on an authorized entity or individual for actions on behalf of a telecommunications right-of-way user that are in addition to or different from the fees and requirements it is authorized to impose on the telecommunications right-of-way user under this section.

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

Amend the title numbers accordingly

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

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

**S.F. No. 1338:** A bill for an act relating to education; special education teacher licensing; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

**S.F. No. 4:** A bill for an act relating to education; directing the commissioner of education to plan for restructuring Minnesota's teacher licensure system.

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

Delete everything after the enacting clause and insert:

**"ARTICLE 1**

**PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

Section 1. Minnesota Statutes 2016, section 122A.06, subdivision 2, is amended to read:

Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional employee required to hold a license from the Professional Educator Licensing and Standards Board of Teaching.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 2. Minnesota Statutes 2016, section 122A.06, subdivision 3, is amended to read:

Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards Board of Teaching.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 3. Minnesota Statutes 2016, section 122A.07, is amended to read:

**122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.**

Subdivision 1. **Appointment of members.** The Professional Educator Licensing and Standards Board of Teaching consists of ~~11~~ nine members appointed by the governor, with the advice and consent of the senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term.

Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher education and the public, to be eligible for appointment to the Board of Teaching a person must be a teacher currently teaching in a Minnesota school and fully licensed for the position held and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment.~~ Each nominee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:



(1) ~~six~~ five teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four of whom must be teaching in a public school,~~ at least one of whom must be a teacher in a charter school, and one of whom must be licensed in either a geographic or license shortage area, and none of whom may be serving in an administrative function or any position with the exclusive bargaining representative of teachers as of the effective date of this section;

(2) ~~one higher education representative, who must be a faculty member preparing teachers~~ one superintendent;

(3) ~~one school administrator~~ district human resources director; ~~and~~

(4) ~~three members of the public, two of whom must be present or former members of school boards~~ one elementary or secondary school principal; and

(5) one member of the public that may be a current or former school board member.

Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

(1) two members must be appointed for terms that expire January 1, 2019;

(2) two members must be appointed for terms that expire January 1, 2020;

(3) two members must be appointed for terms that expire January 1, 2021; and

(4) three members must be appointed for terms that expire January 1, 2022.

(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from the effective date of this section.

Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching during the course of completing a board term, the position of a member who leaves Minnesota or whose employment status changes to a category different from that from which appointed is deemed vacant.

Subd. 4. ~~**Administration, Terms, compensation; removal; vacancies.**~~ ~~The provision of staff, administrative services and office space; the review and processing of complaints; the setting of fees; the selection and duties of an executive secretary director to serve the board; and other provisions relating to board operations~~ not provided in this chapter are as provided in chapter 214. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

Subd. 4a. **Administration.** (a) The board must appoint an executive director of the Professional Educator Licensing and Standards Board. The board must review the performance of the executive director and set the salary of the executive director. The salary of the executive director must not exceed the limit for a position listed in section 15A.0815, subdivision 2.

(b) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the

board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(c) The Department of Administration must provide the board with administrative support services, according to section 16B.371.

(d) The Department of Education must provide suitable offices and other space to the board at no cost until January 1, 2020. Thereafter, the board may contract with either the Department of Education or the Department of Administration for the provision of suitable offices and other space, joint conference and hearing facilities, and examination rooms.

Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional Educator Licensing and Standards Board may reimburse local school districts for the costs of substitute teachers employed when regular teachers are providing professional assistance to the state by serving on the board or on a committee or task force appointed by the board and charged to make recommendations concerning standards for teacher licensure in this state.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 4. Minnesota Statutes 2016, section 122A.08, is amended to read:

**122A.08 MEETINGS.**

Subdivision 1. **Meetings.** The Professional Educator Licensing and Standards Board of Teaching must meet regularly at the times and places as the board determines. Meetings must be called by the chair or at the written request of any eight members.

Subd. 2. **Executive secretary director.** The Professional Educator Licensing and Standards Board of Teaching must have an executive secretary director who is in the unclassified civil service and who is not a member of the board. The executive director must fulfill the duties provided in section 122A.09, subdivision 6.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards Board of Teaching must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

Subd. 2. **Advise members of profession.** The Professional Educator Licensing and Standards Board must act in an advisory capacity to members of the profession in matters of interpretation of the code of ethics.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

Subd. 3. **Election of chair and officers.** The Professional Educator Licensing and Standards Board shall elect a chair and such other officers as it may deem necessary.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

Subd. 4. ~~**License and rules Licensing.**~~ (a) The Professional Educator Licensing and Standards Board must adopt rules to license public school teachers and interns subject to chapter 14 license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its authority to make all licensing decisions with respect to candidates for teacher licensure. The board must evaluate candidates for compliance with statutory or rule requirements for licensure and develop licensure verification requirements.

(b) ~~The board must require all candidates for teacher licensure to demonstrate~~ adopt rules that establish a passing score on a board-adopted skills examination in reading, writing, and mathematics, as for a requirement for an initial professional five-year Tier 2, 3, or 4 teaching license, except that the board may issue up to four initial professional one-year teaching licenses to an otherwise qualified candidate who has not yet passed the board-adopted skills exam. The board must require colleges and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the board-adopted skills examination, including those for whom English is a second language. The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. The Board of Teaching and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during their secondary or postsecondary education.

(c) The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.245 and Montessori teacher training programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. Among other components, teacher preparation programs may use the Minnesota State Colleges and Universities program model to provide a school-year-long student teaching program that combines clinical opportunities with academic coursework and in-depth

student teaching experiences to offer students ongoing mentorship, coaching, and assessment, help to prepare a professional development plan, and structured learning experiences. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning. The board's redesign rules must include creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college ready learning offerings.

(e) ~~The board must adopt rules requiring candidates for professional five-year teaching licenses to pass that establish a passing score for candidates on an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills for a Tier 2, 3, or 4 teaching license. The rules shall be effective by September 1, 2001.~~ The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) ~~The board must grant licenses to interns and to candidates for professional five-year teaching licenses based on appropriate professional competencies that are aligned with the board's licensing system and students' diverse learning needs. All teacher Tier 3 and 4 candidates who are renewing their teaching licenses must have preparation experience in English language development and content instruction for English learners in order to be able to effectively instruct the English learners in their classrooms. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students' diverse learning needs in the 21st century, recognizes the importance of cultural and linguistic competencies, including the ability to teach and communicate in culturally competent and aware ways, and formalizes mentoring and induction for newly licensed teachers provided through a teacher support framework.~~

(h) The board must design and implement an assessment system which requires a candidate for an initial license ~~and first continuing license~~ to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses. The board must require a licensed teacher who is renewing a ~~professional five-year~~ Tier 3 or 4 teaching license to include in the renewal requirements further

preparation in English language development and specially designed content instruction in English for English learners.

~~(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.~~

~~(k)~~ The board must adopt rules that require all licensed teachers who are renewing their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

~~(l)~~ (k) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

~~(m)~~ (l) The board must adopt rules that require all licensed teachers who are renewing their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. ~~The rules do not take effect until they are approved by law.~~ Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

~~(n)~~ (m) The board must adopt rules that require all licensed teachers who are renewing their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period that are based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this paragraph, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications through the board's recognition of a teaching license from another state in a similar content field, completion of a state-approved teacher preparation program, teaching experience as the teacher of record in a similar licensure field, depth of content knowledge, depth of content methods or general pedagogy, subject-specific professional development and contribution to the field, or classroom performance as determined by documented student growth on normed assessments or documented effectiveness on evaluations. The rules must adopt criteria for determining a "similar content field" and "similar licensure area."~~

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

Subd. 4a. **Teacher and administrator preparation and performance data; report.** (a) The Professional Educator Licensing and Standards Board of Teaching and the Board of School Administrators, in cooperation with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges and universities offering board-adopted teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Professional Educator Licensing and Standards Board of Teaching and the Board of School Administrators annually by June 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on a Web site hosted jointly by the boards.

(b) Publicly reported summary data on teacher preparation programs must include: student entrance requirements for each Professional Educator Licensing and Standards Board of Teaching-approved approved program, including grade point average for enrolling students in the preceding year; the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year; summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time resident and nonresident program graduates in the preceding year needed to complete the program; the current number and percent of students by program who graduated, received a standard Minnesota teaching license, and were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate; students' pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year; survey results measuring student and graduate satisfaction with the program in the preceding school year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; a standard measure of the satisfaction of school principals or supervising teachers with the student teachers assigned to a school or supervising teacher; and information under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include: summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time program graduates in the preceding year needed to complete the program; the current number and percent of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; the number of credits by graduate program that students in the preceding school year needed to complete to graduate; survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; and information

under paragraphs (f) and (g). Program reporting must be consistent with section 122A.14, subdivision 10.

(d) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board of Teaching the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(e) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board of Teaching the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year: the licensure areas in which the probationary teacher taught; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(f) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and the principal preparation program providing instruction to the principal or assistant principal.

(g) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

Subd. 6. **Register of persons licensed.** The executive ~~secretary~~ director of the Professional Educator Licensing and Standards Board of Teaching ~~shall~~ must keep a record of the proceedings of and a register of all persons licensed pursuant to the provisions of this chapter. The register must show the name, address, license number and the renewal of the license. The board must on July 1, of each year or as soon thereafter as is practicable, compile a list of such duly licensed teachers ~~and transmit a copy of the list to the board.~~ A copy of the register must be available during business hours at the office of the board to any interested person.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards Board money.** ~~The commissioner shall provide all necessary materials and assistance for the transaction~~

~~of the business of the Board of Teaching and~~ All moneys received by the Professional Educator Licensing and Standards Board of Teaching shall be paid into the state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22, 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional Educator Licensing and Standards Board of Teaching shall be paid for from appropriations made to the Professional Educator Licensing and Standards Board of Teaching.

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

Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

Subd. 9. **Professional Educator Licensing and Standards Board may must adopt rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16, 122A.17, 122A.18, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

(b) If a rule adopted by the board is in conflict with a session law or statute, the law or statute prevails. Terms adopted in rule must be clearly defined and must not be construed to conflict with terms adopted in statute or session law.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 13. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant waivers to its rules upon application by a school district or a charter school for purposes of implementing experimental programs in learning or management.

(b) To enable a school district or a charter school to meet the needs of students enrolled in an alternative education program and to enable licensed teachers instructing those students to satisfy content area licensure requirements, the Professional Educator Licensing and Standards Board of Teaching annually may permit a licensed teacher teaching in an alternative education program to instruct students in a content area for which the teacher is not licensed, consistent with paragraph (a).

(c) A special education license permission issued by the Professional Educator Licensing and Standards Board of Teaching for a primary employer's low-incidence region is valid in all low-incidence regions.

(d) ~~The Board of Teaching may issue a one-year professional license under paragraph (a), which the board may renew two times, to allow a person holding a full credential from the American Montessori Society, a diploma from Association Montessori Internationale, or a certificate of completion from a program accredited by the Montessori Accreditation Council for Teacher Education to teach in a Montessori program operated by a school district or charter school.~~



~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow individuals who hold a bachelor's degree from an accredited postsecondary institution, demonstrate occupational competency based on at least three years of full-time work experience in business or industry, and enroll and make satisfactory progress in an alternative preparation program leading to certification as a career and technical education instructor to teach career and technical education courses offered by a school district or charter school. A candidate that has obtained career and technical education certification may apply for a Tier 1 license under section 122A.181. Consistent with this paragraph and section 136F.361, the Professional Educator Licensing and Standards Board of Teaching must strongly encourage approved college or university-based teacher preparation programs and institutions throughout Minnesota to develop alternative pathways for certifying and licensing high school career and technical education instructors and teachers, allowing such candidates to meet certification and licensure standards that demonstrate their content knowledge, classroom experience, and pedagogical practices and their qualifications based on a combination of occupational testing, professional certification or licensure, and long-standing work experience.~~

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 14. Minnesota Statutes 2016, section 122A.22, is amended to read:

**122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

No person shall be accounted a qualified teacher until the school district or charter school contracting with the person for teaching services verifies through the Minnesota education licensing system available on the ~~department~~ Professional Educator Licensing and Standards Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and 122A.44, subdivision 1.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 15. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's school districts and teacher preparation programs and report to the education committees of the legislature by February 1 of each odd-numbered year until 2020 on the status of teacher early retirement patterns, the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the substitute teacher shortage, including patterns and shortages in subject areas and the economic development regions of the state. The report must also include: aggregate data on teachers' self-reported race and ethnicity; data on how districts are making progress in hiring teachers and substitutes in the areas of shortage; and a five-year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five-year period.

Sec. 16. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the Board of Teaching;~~ the commissioner of public safety with respect to the Board of Private Detective and Protective Agent Services; the Board of Peace Officer Standards and Training; and the commissioner of revenue with respect to the Board of Assessors, shall provide suitable offices and other space,

joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, consulting services relating to evaluation procedures and techniques, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. Investigative services shall be provided the boards by employees of the Office of Attorney General. The commissioner of health with respect to the health-related licensing boards shall provide mailing and office supply services and may provide other facilities and services listed in this subdivision at a central location upon request of the health-related licensing boards. The commissioner of commerce with respect to the remaining non-health-related licensing boards shall provide the above facilities and services at a central location for the remaining non-health-related licensing boards. The legal and investigative services for the boards shall be provided by employees of the attorney general assigned to the departments servicing the boards. Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation. Persons providing legal and investigative services shall to the extent practicable provide the services on a regular basis to the same board or boards.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 17. Minnesota Statutes 2016, section 214.04, subdivision 3, is amended to read:

Subd. 3. **Officers; staff.** The executive director of each health-related board and the executive secretary of each non-health-related board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director or executive secretary shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive directors, executive secretaries, and other employees of the following boards shall be hired by the board, and the executive directors or executive secretaries shall be in the unclassified civil service, except as provided in this subdivision:

- (1) Dentistry;
- (2) Medical Practice;
- (3) Nursing;
- (4) Pharmacy;
- (5) Accountancy;
- (6) Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design;
- (7) Barber Examiners;
- (8) Cosmetologist Examiners;
- ~~(9) Teaching;~~
- ~~(+0)~~ (9) Peace Officer Standards and Training;

- (H) (10) Social Work;
- (H2) (11) Marriage and Family Therapy;
- (H3) (12) Dietetics and Nutrition Practice;
- (H4) (13) Licensed Professional Counseling; and
- (H5) (14) Combative Sports Commission.

The executive directors or executive secretaries serving the boards are hired by those boards and are in the unclassified civil service, except for part-time executive directors or executive secretaries, who are not required to be in the unclassified service. Boards not requiring full-time executive directors or executive secretaries may employ them on a part-time basis. To the extent practicable, the sharing of part-time executive directors or executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive directors or executive secretaries of the boards and employees of the attorney general, are classified civil service employees of the department servicing the board. To the extent practicable, the commissioner shall ensure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 18. Minnesota Statutes 2016, section 214.045, is amended to read:

**214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD OF TEACHING.**

The commissioner of health and the health-related licensing boards must coordinate with the Professional Educator Licensing and Standards Board of Teaching when modifying licensure requirements for regulated persons in order to have consistent regulatory requirements for personnel who perform services in schools.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 19. **TRANSFER OF POWERS.**

(a) The creation of the Professional Educator Licensing and Standards Board shall be considered a transfer by law of the responsibilities of the Board of Teaching and the Minnesota Department of Education with respect to licensure and credentialing of teachers and school personnel to the Professional Educator Licensing and Standards Board for purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions associated with the responsibilities being transferred to the Professional Educator Licensing and Standards Board are transferred with their incumbents to the new agency pursuant to Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota Statutes, section 122A.07.

(b) The responsibilities of the Minnesota Department of Education with respect to licensure of school administrators are transferred by law to the Board of School Administrators for purposes of section 15.039.

(c) The Professional Educator Licensing and Standards Board must review all rules adopted by the Board of Teaching and amend or repeal rules not consistent with statute. The Professional Educator Licensing and Standards Board must review all teacher preparation programs approved by the Board of Teaching to determine whether the approved programs meet the needs of schools in Minnesota.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 20. **IMPLEMENTATION REPORT.**

By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.181. The report must include the number of applicants for license in each tier, the number of applications granted and denied, summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure-related rules.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 21. **REVISOR INSTRUCTION.**

In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the term "Professional Educator Licensing and Standards Board" for "Board of Teaching" wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching. The revisor shall also make grammatical changes related to the change in terms.

## ARTICLE 2

### LICENSURE

Section 1. Minnesota Statutes 2016, section 122A.17, is amended to read:

**122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

(a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and Standards Board must not affect the validity of certificates or licenses to teach in effect on July 1, 1974, or the rights and privileges of the holders thereof, except that any such certificate or license may be suspended or revoked for any of the causes and by the procedures specified by law.

(b) All teacher licenses in effect on September 1, 2017, shall remain valid for one additional year after the date the license is scheduled to expire.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 2. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and Standards Board of Teaching must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. issue teacher licenses to candidates who meet the qualifications prescribed by this chapter.

(b) The Board of School Administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

~~(e) Licenses under the jurisdiction of the Board of Teaching, the Board of School Administrators, and the commissioner of education must be issued through the licensing section of the department.~~

~~(d)~~ (c) The Professional Educator Licensing and Standards Board of Teaching and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern.

~~(e)~~ (d) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d), the Professional Educator Licensing and Standards Board of Teaching, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

Subd. 2. **Teacher and Support personnel qualifications.** (a) The Professional Educator Licensing and Standards Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions, including those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n).

(b) The board must ~~require a candidate for teacher licensure to demonstrate~~ adopt rules that establish a passing score on a board-adopted examination of skills in reading, writing, and mathematics, before being for a candidate to be granted a professional five-year Tier 2, 3, or 4 teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs, except that the board may issue up to four temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed a board-adopted skills exam. At the request of the employing school district or charter school, the Board of Teaching may issue an initial professional one-year teaching license to an otherwise qualified teacher not passing or demonstrating a passing score on a board-adopted skills examination in reading, writing, and mathematics. For purposes of this section, the initial professional one-year teaching license issued by the board is limited to the current subject or content matter the teacher is employed to teach and limited to the district or charter school requesting the initial professional one-year teaching license. If the board denies the request, it must provide a detailed response to the school administrator as to the reasons for the denial. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a

formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on a board-adopted skills examination, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of candidates' deficiency. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on a board-adopted skills examination, and who received an initial professional one-year teaching license to teach in Minnesota. The board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking a board-adopted skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, and the candidates who have not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.

(c) ~~The Board of Teaching must grant professional five-year teaching licenses only to those persons who have met board criteria for that license, which includes passing a board-adopted skills examination in reading, writing, and mathematics, and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~ The requirement to pass a board-adopted reading, writing, and mathematics skills examination, does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a professional five-year teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.

(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. Among other requirements, teacher candidates must demonstrate the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in a regular classroom setting. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002,~~ The Professional Educator Licensing and Standards Board of Teaching must adopt rules providing for reading teacher licensure.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 3, is amended to read:

Subd. 3. **Supervisory and coach qualifications; code of ethics.** The ~~commissioner of education~~ Professional Educator Licensing and Standards Board must issue licenses under its jurisdiction to persons the ~~commissioner~~ board finds to be qualified and competent for their respective positions under the rules it adopts. The ~~commissioner of education~~ board may develop, by rule, a code of ethics for supervisory personnel covering standards of professional practices, including areas of ethical conduct and professional performance and methods of enforcement.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 3a, is amended to read:

Subd. 3a. **Technology strategies.** All colleges and universities approved by the board of ~~Teaching~~ to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to deliver digital and blended learning and curriculum and engage students with technology.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and Standards Board of Teaching may allow a person who is enrolled in and making satisfactory progress in a board-approved teacher program and who has successfully completed student teaching to be employed as a short-call substitute teacher.

(b) The Professional Educator Licensing and Standards Board of Teaching may issue a lifetime qualified short-call or long-call substitute teaching license to a person who:

(1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, and receives a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement Fund Association;

(2) holds an out-of-state teaching license and receives a retirement annuity as a result of the person's teaching experience; or

(3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, taught at least three school years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

A person holding a lifetime qualified short-call or long-call substitute teaching license is not required to complete continuing education clock hours. A person holding this license may reapply to the board for either:

(i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under section 122A.181, and must again complete continuing education clock hours one school year after receiving the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

(ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's degree, an associate's degree, or an appropriate professional credential in the content area the candidate will teach.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board of Teaching shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90 for an online application or \$86.40 for a paper application. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in section 122A.181.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 9. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards Board of Teaching and the commissioner of education the Board of School Administrators must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all first-time teaching applicants for licenses under their jurisdiction. Applicants must include with their licensure applications:

(1) an executed criminal history consent form, including fingerprints; and

(2) a money order or cashier's check payable to the Bureau of Criminal Apprehension for the fee for conducting the criminal history background check.

(b) The superintendent of the Bureau of Criminal Apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data as defined in section 13.87 and shall also conduct a search of the national criminal records repository. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The Professional Educator Licensing and Standards Board of Teaching or the commissioner of education Board of School Administrators may issue a license pending completion of a background check under this subdivision, but must notify the individual that the individual's license may be revoked based on the result of the background check. The individual must notify the school district or charter school that employs the individual as a teacher that the individual's license has been revoked.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 10. **[122A.181] TIERED LICENSURE SYSTEM.**

Subdivision 1. Professional Educator Licensing and Standards Board to issue licenses. (a) The Professional Educator Licensing and Standards Board must license teachers as defined in section



122A.15, subdivision 1. The tiered licensure system supersedes the licensure system implemented under Minnesota Statutes 2016, section 122A.18, and Minnesota Rules, part 8710.0300.

(b) The Professional Educator Licensing and Standards Board must issue a license to candidates who meet the qualifications prescribed by this chapter.

Subd. 2. **Licensure tiers.** The Professional Educator Licensing and Standards Board must issue a license to candidates who meet the qualifications for the appropriate tier according to the following table:

<u>License Name</u>	<u>Duration</u>	<u>Renewal</u>	<u>Qualifications</u>
<u>Tier 1 license</u>	<u>One year</u>	<u>Unlimited</u>	<p><u>At least one of the following:</u></p> <p><u>(1) for a license to teach career and technical education, at least one of the following:</u></p> <p><u>(i) an associate's degree in the content area;</u></p> <p><u>(ii) professional credential; or</u></p> <p><u>(iii) five years of work experience in the content area;</u> <u>or</u></p> <p><u>(2) for a license to teach in a content area not included in clause (1), a baccalaureate degree.</u></p> <p><u>A school board must confirm to the Professional Educator Licensing and Standards Board that it has attempted but is unable to hire a teacher with a Tier 2, 3, or 4 license for the position and that the candidate has the necessary skills and knowledge to teach in a specified content area.</u></p> <p><u>A candidate meeting the above qualifications must be granted a Tier 1 license upon the request of the employing school board or charter school board.</u></p> <p><u>Years worked with a Tier 1 license do not count towards the candidate's continuing contract under section 122A.40 or 122A.41.</u></p> <p><u>Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.</u></p>
<u>Tier 2 license</u>	<u>Two years</u>	<u>Up to two</u>	<p><u>Meets Tier 1 qualifications and at least one of the following:</u></p> <p><u>(1) enrolled in and making satisfactory progress in a Professional Educator Licensing and Standards Board approved teacher preparation program;</u></p>

(2) passing scores on all required skills, content area, and pedagogy licensure exams; or

(3) master's degree in content area.

A school board must confirm that the candidate has the necessary skills and knowledge to teach in a specified content area.

Years worked with a Tier 2 license only count towards the candidate's continuing contract under section 122A.40 or 122A.41, if the candidate subsequently obtains a Tier 3 or Tier 4 license.

Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.

Tier 3 license    Three years    Up to three

Meets Tier 1 qualifications and at least one of the following:

(1) successful completion of a Professional Educator Licensing and Standards Board approved teacher preparation program;

(2) successful completion of an out-of-state teacher preparation program that includes field-specific methods training and field-specific student teaching;

(3) an out-of-state professional teaching license in good standing;

(4) passing scores on all required skills, content area, and pedagogy licensure exams; or

(5) National Board for Professional Teaching Standards certification.

And meets at least one of the following criteria:

(1) 12 weeks of student teaching experience;

(2) two years of field-specific teaching experience;  
or

(3) completion of a comprehensive teacher mentoring program offered by a Minnesota school.

Must participate in a school district's evaluation program that includes an individual growth and development plan.

Tier 4 license   Five years   Unlimited   Meets Tier 3 qualifications and the following:

(1) at least three years teaching experience in any state; and

(2) passing scores on all required skills, content area, and pedagogy licensure exams.

Must participate in a school district's evaluation program that includes an individual growth and development plan.

Subd. 3. **Assessment alternatives.** A Tier 3 or Tier 4 teacher licensure candidate that fails, after two attempts, to obtain a passing score on the board-adopted skills examination in reading, writing, and mathematics may demonstrate to the board that they have attained the required skills by either of the following:

(1) completing a portfolio using board-adopted standards; or

(2) teaching for three years in a Minnesota school with at least one summative teacher evaluation and showing satisfactory evidence of successful teaching according to section 122A.40, subdivision 8, or section 122A.41, subdivision 5.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 11. **[122A.187] EXPIRATION AND RENEWAL.**

Subdivision 1. **License form requirements.** Each license issued under this chapter must bear the date of issue and the name of the state-approved teacher training provider or alternative teaching program, as applicable. Licenses must expire and be renewed according to rules adopted by the Professional Educator Licensing and Standards Board or the Board of School Administrators. Requirements for renewing a Tier 3 or 4 license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as required under this section, or as the Professional Educator Licensing and Standards Board prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The Professional Educator Licensing and Standards Board shall establish requirements for renewing the licenses of athletic coaches.

Subd. 2. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4 license who have been employed as a teacher during the renewal period of the expiring license, as a condition of license renewal, must present to the Professional Educator Licensing and Standards Board evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a.

(b) The Professional Educator Licensing and Standards Board must ensure that its teacher relicensing requirements include paragraph (a).

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 12. **[122A.188] LICENSURE DENIAL; APPEAL.**

Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards Board must inform a candidate within 30 days on whether the candidate's application for an initial teaching license or renewal of license has been approved or denied. When an application is denied, the notification letter must inform the candidate of the process for seeking review of the denial and of the appeals process provided in this section, including all deadlines for seeking review of the denial decision and filing an appeal. The notification letter must identify each licensure requirement the candidate failed to meet.

(b) For purposes of this section, the term "denial" means denial of an initial license or a denial of a renewal license. Denial of an initial license includes a grant of a license that is a lower tier than the candidate applied for and denial of application for an additional field of licensure.

Subd. 2. **Review of denial.** A candidate whose license application is denied may seek review of the denial by submitting a letter to the Professional Educator Licensing and Standards Board within 30 calendar days of receipt of the denial letter. The candidate may include any documentation necessary to demonstrate that the candidate meets the licensure requirements. The board must review the denial within 60 calendar days of receipt of the letter seeking review. If the board affirms the denial, the board must send the candidate a letter identifying each licensure requirement the candidate failed to meet and informing the candidate of the appeal process provided under this section.

Subd. 3. **Appeal.** A candidate whose application for license or license renewal has been denied under subdivisions 1 and 2 may appeal the decision by filing a written request with the Professional Educator Licensing and Standards Board within 30 days of notice that the board has affirmed the denial of license. The board must then initiate a contested case under the Administrative Procedure Act, sections 14.001 to 14.69.

Sec. 13. Minnesota Statutes 2016, section 122A.19, is amended to read:

**122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;  
LICENSES.**

Subdivision 1. **Bilingual and English as a second language licenses.** The Professional Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant teaching licenses in bilingual education and English as a second language to persons who present satisfactory evidence that they:

(a) (1) possess competence and communicative skills in English and in another language;

(b) (2) possess a bachelor's degree or other academic degree approved by the board, and meet such requirements as to course of study and training as the board may prescribe, consistent with subdivision 4; and

(3) meet all other requirements for a teaching license provided in section 122A.18.

Subd. 2. **Persons holding general teaching licenses.** The board may license a person who holds a ~~general~~ teaching license in any tier under section 122A.181, and who presents the board with satisfactory evidence of competence and communicative skills in a language other than English under this section.

Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual and English as a second language teachers, the board may approve programs at colleges or universities designed for their training. These programs must provide instruction in implementing research-based practices designed specifically for English learners. The programs must focus on developing English learners' academic language proficiency in English, including oral academic language, giving English learners meaningful access to the full school curriculum, developing culturally relevant teaching practices appropriate for immigrant students, and providing more intensive instruction and resources to English learners with lower levels of academic English proficiency and varied needs, consistent with section 124D.59, subdivisions 2 and 2a.

Subd. 5. **Persons eligible for employment.** Any person licensed under this section is eligible for employment by a school board as a teacher in a bilingual education or English as a second language program in which the language for which the person is licensed is taught or used as a medium of instruction. A board may prescribe only those additional qualifications for teachers licensed under this section that are approved by the board ~~of teaching~~.

Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program positions, districts must give preference to and make affirmative efforts to seek, recruit, and employ persons who (1) are native speakers of the language which is the medium of instruction in the bilingual education program or share a native language with the majority of their students, and (2) share the culture of the English learners enrolled in the program. The district shall provide procedures for involving the parent advisory committees in designing the procedures for recruiting, screening, and selecting applicants. This section must not be construed to limit the school board's authority to hire and discharge personnel.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 14. Minnesota Statutes 2016, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) immoral character or conduct;
- (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) gross inefficiency or willful neglect of duty;
- (4) failure to meet licensure requirements; or
- (5) fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges.

(b) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352, interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, possessing pornographic works involving a minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual abuse is reversed by a final decision of the Court of Appeals or the Supreme Court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

(d) For purposes of this subdivision, the Professional Educator Licensing and Standards Board of Teaching is delegated the authority to suspend or revoke coaching licenses.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 15. Minnesota Statutes 2016, section 122A.20, subdivision 2, is amended to read:

Subd. 2. **Mandatory reporting.** A school board must report to the Professional Educator Licensing and Standards Board of Teaching, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator is suspended without an investigation under section 122A.41,

subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

The licensing board to which a report is made must transmit to the Attorney General's Office any record or data it receives under this subdivision for the sole purpose of having the Attorney General's Office assist that board in its investigation. When the Attorney General's Office has informed an employee of the appropriate licensing board in writing that grounds exist to suspend or revoke a teacher's license to teach, that licensing board must consider suspending or revoking or decline to suspend or revoke the teacher's or administrator's license within 45 days of receiving a stipulation executed by the teacher or administrator under investigation or a recommendation from an administrative law judge that disciplinary action be taken.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 16. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

Subd. 2. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards Board must develop a process for an eligible candidate ~~may use licensure via portfolio~~ to obtain a professional five-year teaching any teacher license under section 122A.181, or to add a licensure field, consistent with applicable Board of Teaching licensure rules via portfolio.

(b) A candidate for a ~~professional five-year teaching~~ license must submit to the ~~Educator Licensing Division at the department board~~ one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the ~~Educator Licensing Division at the department board~~ one portfolio demonstrating content competence for each field the candidate seeks to add.

(d) The board ~~of Teaching~~ must notify a candidate who submits a portfolio under paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not the portfolio was approved. If the portfolio was not approved, the board must immediately inform the candidate how to revise the portfolio to successfully demonstrate the requisite competence. The candidate may resubmit a

revised portfolio at any time and the ~~Educator Licensing Division at the department~~ board must approve or disapprove the revised portfolio within 60 calendar days of receiving it.

(e) A candidate must pay to the executive secretary of the board ~~of Teaching~~ a \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio submitted subsequently. The revenue generated from the fee must be deposited in an education licensure portfolio account in the special revenue fund. The fees set by the board ~~of Teaching~~ are nonrefundable for applicants not qualifying for a license. The board ~~of Teaching~~ may waive or reduce fees for candidates based on financial need.

Sec. 17. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding any other law to the contrary, the ~~Professional Educator Licensing and Standards Board of Teaching~~ must enter into a National Association of State Directors of Teacher Education and Certification (NASDTEC) interstate agreement and other interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.

(b) The ~~Professional Educator Licensing and Standards Board of Teaching~~ must work with designated authorities in adjoining states to establish interstate teacher licensure agreements under this section.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 18. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.**

Subdivision 1. **Definitions.** (a) "Provider" or "unit" means an eligible entity that seeks or has obtained approval for an alternative teacher preparation program consistent with this section.

(b) "Program" means content provided by a provider that leads toward licensure in a specific content area.

Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure outside of the traditional means, improve ethnic and cultural diversity in the classroom, and to close the achievement gap, the Professional Educator Licensing and Standards Board must approve qualified teacher preparation providers and programs under this section that are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a Tier 3 license under section 122A.181.

Subd. 3. **Eligibility.** A school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose is eligible to participate under this section. An eligible entity may apply for provider and program approval simultaneously.



Subd. 4. **Provider approval.** An eligible entity must be approved as a provider before being approved to provide programs towards licensure. The Professional Educator Licensing and Standards Board must approve eligible entities under subdivision 3 that meet the following requirements:

(1) has evidence and history of fiscal solvency, capacity, and operation;

(2) has evidence of necessary infrastructure to provide accurate, timely, and secure data for the purposes of admission, candidate monitoring, testing, background checks, and license recommendations;

(3) has policies and procedures in place ensuring the security of candidate records under the Federal Family Educational Rights and Privacy Act;

(4) has the instructional capacity or ability to obtain the instructional capacity to provide adequate instructional phase under subdivision 5; and

(5) meets all other board-adopted rules for teacher preparation providers.

Subd. 5. **Program approval.** The board must approve programs offered by approved providers based on nontraditional criteria. An approved program must have the following characteristics:

(1) an instructional phase that provides intensive preparation and observed classroom experience that is commensurate with the scope of licensure standards defined under rule, before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) a strategy to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) provide assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program, and to support efforts to successfully complete the program;

(5) provide intensive and ongoing professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, mentoring and peer review, focused on standards of professional practice and continuous professional growth; and

(6) a process to review a candidate's final proficiency of required licensure content standards that leads to potential candidate recommendation by the provider to the board for a Tier 3 teaching license under subdivision 8.

Subd. 6. **Nontraditional means; program instructors.** (a) The board must permit alternative teacher preparation providers and teacher candidates to demonstrate pedagogy and content standard proficiency in school-based programs and through other nontraditional means. Nontraditional means may include previous work experiences, teaching experiences, educator evaluations, industry-recognized certifications, and other essentially equivalent demonstrations.

(b) The board must use nontraditional criteria to determine qualifications of program instructors, including permitting instructors to hold a baccalaureate degree only.

Subd. 7. **Program disapproval, suspension.** If the board determines that a teacher preparation provider or licensure program fails to meet or is deficient in any of the requirements of subdivision 5, it may suspend or revoke the approval of the provider or program after it notifies the provider of the deficiencies and gives the provider an opportunity to remedy the deficiencies.

Subd. 8. **Candidate program completion; teacher licensure.** (a) The board must issue a Tier 3 license to candidates who successfully complete a licensure program with a recommendation from an approved alternative teacher preparation provider.

(b) The board must issue a Tier 4 license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, obtains qualifying scores on applicable board-adopted licensure exams under section 122A.09 and is recommended for licensure under paragraph (a), or successfully demonstrates to the board qualifications for licensure under this paragraph.

(c) A person who successfully completes another state's alternative teacher preparation licensure program may apply to the Professional Educator Licensing and Standards Board for a Tier 3 license.

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year.

Sec. 19. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** A person who teaches in a community education program which qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements as a teacher. A person who teaches in an early childhood and family education program which is offered through a community education program and which qualifies for community education aid pursuant to section 124D.20 or early childhood and family education aid pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A person who teaches in a community education course which is offered for credit for graduation to persons under 18 years of age shall continue to meet licensure requirements as a teacher. A person who teaches a driver training course which is offered through a community education program to persons under 18 years of age shall be licensed by the Professional Educator Licensing and Standards Board of Teaching or be subject to section 171.35. A license which is required for an instructor in a community education program pursuant to this subdivision shall not be construed to bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 20. Minnesota Statutes 2016, section 122A.28, is amended to read:

**122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS; LICENSURE REQUIREMENTS.**

Subdivision 1. **K-12 license to teach deaf and hard-of-hearing students; relicensure.** (a) The Professional Educator Licensing and Standards Board of Teaching must review and determine appropriate licensure requirements for a candidate for a license or an applicant for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through grade 12. In addition to other requirements, a candidate must demonstrate the minimum level of proficiency in American sign language as determined by the board.

(b) Among other relicensure requirements, each teacher under this section must complete 30 continuing education clock hours on hearing loss topics, including American Sign Language, American Sign Language linguistics, or deaf culture, in each licensure renewal period.

Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The Professional Educator Licensing and Standards Board of Teaching shall adopt a separate licensure rule for a candidate for a license or an applicant for a continuing license to teach in oral/aural deaf education programs or to provide services, including itinerant oral/aural deaf education services, to deaf and hard-of-hearing students in prekindergarten through grade 12.

(b) The board shall design rule requirements for teaching oral/aural deaf education in collaboration with representatives of parents and educators of deaf and hard-of-hearing students, postsecondary programs preparing teachers of deaf and hard-of-hearing students, and the Department of Education.

(c) Rule requirements for teaching oral/aural deaf education shall reflect best practice research in oral/aural deaf education. Advanced competencies in teaching deaf and hard-of-hearing students through oral/aural modes shall be included.

(d) Licensure requirements for teachers of oral/aural deaf education must include minimum competency in American sign language, but are not subject to the guidelines established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998, chapter 398, article 2, section 47. The signed communication proficiency interview shall not be required for teachers licensed to teach deaf and hard-of-hearing students through oral/aural deaf education methods.

(e) Requirements for teachers of oral/aural deaf education shall include appropriate continuing education requirements for renewing this licensure.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 21. Minnesota Statutes 2016, section 122A.29, is amended to read:

**122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS; LICENSURE REQUIREMENTS.**

Teachers licensed in the education of blind and visually impaired students must demonstrate competence in reading and writing Braille. The Professional Educator Licensing and Standards

Board of Teaching, at such time as a valid and reliable test is available, shall adopt a rule to assess these competencies that is consistent with the standards of the National Library Services for the Blind and Physically Handicapped.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 22. Minnesota Statutes 2016, section 122A.30, is amended to read:

**122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION INSTRUCTORS.**

(a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local employer school board, a person who teaches in a part-time vocational or career and technical education program is exempt from a license requirement. Nothing in this section shall exclude licensed career and technical educators from the definition of "teacher" in section 122A.40, 122A.41, or 179A.03.

(b) This section expires June 30, 2020. After this section expires, persons who teach in a part-time vocational or career and technical education program may apply for a teaching license provided in section 122A.18.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 23. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its early childhood family education programs. ~~The Board of Teaching, at its discretion, may grant an applicant a variance under this subdivision, consistent with sections 122A.09, subdivision 10, and 122A.25, and Board of Teaching rules.~~

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 24. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services rendered or for costs incurred in career and technical education programs approved by the commissioner and operated in accordance with rules promulgated by the commissioner. This aid shall be paid only for services rendered and for costs incurred by essential, licensed personnel who meet the requirements for licensure pursuant to the rules of the Minnesota Professional Educator Licensing and Standards Board of Teaching. Licensed personnel means persons holding a valid career and technical license issued by the commissioner Professional Educator Licensing and Standards Board under section 122A.30. If an average of five or fewer secondary full-time equivalent students are enrolled per teacher in an approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed personnel means persons holding a valid vocational license issued by the commissioner or the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding section 127A.42, the commissioner may modify or withdraw the program or aid approval and withhold aid under this section without proceeding under section 127A.42 at any time. To do so, the commissioner must determine that the program does not comply with rules of the Department of Education or that any facts concerning the program or its budget differ from the facts in the district's approved application.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 25. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

Subdivision 1. **American Indian language and culture education licenses.** The Professional Educator Licensing and Standards Board of Teaching, in consultation with the Tribal Nations Education Committee, must grant initial and continuing teaching licenses in American Indian language and culture education that bear the same duration as other initial and continuing licenses. The board must grant licenses to persons who present satisfactory evidence that they:

(1) possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture; or

(2) possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, tribal resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district, participating school, or an American Indian school.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under this section shall be eligible for employment by a school board or a participating school as a teacher in an American Indian education program in which the American Indian language or culture in which the person is licensed is taught. A school district or participating school may prescribe only those additional qualifications for teachers licensed under this section as are approved by the Professional Educator Licensing and Standards Board of Teaching. Any school board or participating school upon request may be exempted from the licensure requirements of this section in the hiring of one or more American Indian language and culture education teachers for any school year in which compliance would, in the opinion of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship in the securing of the teachers.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 27. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to the licensure standards of the Professional Educator Licensure and Standards Board of Teaching or the commissioner of education. An administrator at the academies is subject to the licensure standards of the Board of School Administrators.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 28. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

(b) "Qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition and reasonable educational and living expenses related to a teacher's preparation or further education.

(c) "School district" means an independent school district, special school district, intermediate district, education district, special education cooperative, service cooperative, a cooperative center for vocational education, or a charter school located in Minnesota.

(d) "Teacher" means an individual holding a teaching license issued by the ~~licensing division in the Department of Education on behalf of the Board of Teaching~~ Professional Educator Licensure and Standards Board who is employed by a school district to provide classroom instruction in a teacher shortage area.

(e) "Teacher shortage area" means the licensure fields and economic development regions reported by the commissioner of education as experiencing a teacher shortage.

(f) "Commissioner" means the commissioner of the Office of Higher Education unless indicated otherwise.

**EFFECTIVE DATE.** This section is effective July 1, 2018.

Sec. 29. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

Subdivision 1. **One-year license.** A one-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 1 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 2 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 3. **Three-year license.** A three-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 3 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 4 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

**EFFECTIVE DATE.** This section is effective September 1, 2017.

Sec. 30. **REPEALER.**

Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, and 7; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

**ARTICLE 3****NONTEACHER CREDENTIALING**

Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board of Teaching must adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Any paraprofessional holding this credential or working in a local school district after meeting a state-approved local assessment is considered to be highly qualified under federal law. Under this subdivision, the Professional Educator Licensing and Standards Board of Teaching, in consultation with the commissioner, must adopt qualitative criteria for approving local assessments that include an evaluation of a paraprofessional's knowledge of reading, writing, and math and the paraprofessional's ability to assist in the instruction of reading, writing, and math. The commissioner must approve or disapprove local assessments using these criteria. The commissioner must make the criteria available to the public.

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

Delete the title and insert:

"A bill for an act relating to education; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06, subdivisions 2, 3; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 3, 3a, 7a, 7c, 8; 122A.19; 122A.20, subdivisions 1, 2; 122A.21, subdivision 2; 122A.22; 122A.23, subdivision 3; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23, subdivisions 1, 2; 122A.245; 122A.25."

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

**S.F. No. 626:** A bill for an act relating to the Minnesota Sports Facilities Authority; modifying appointments to the authority board; modifying duties; restricting the use of stadium suites; amending Minnesota Statutes 2016, sections 473J.07, subdivisions 2, 3, 4, 8, by adding a subdivision; 473J.09, subdivisions 6, 13, by adding subdivisions; 473J.13, by adding a subdivision; repealing Minnesota Statutes 2016, section 473J.09, subdivision 14.

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 13.55, subdivision 2, is amended to read:

Subd. 2. **Public data.** (a) The data made not public by the provisions of subdivision 1 shall become public upon the occurrence of any of the following:

~~(a)~~ (1) five years elapse from the date on which the lease or contract is entered into between the facility and the inquiring party or parties or the event which was the subject of inquiry occurs at the facility, whichever occurs earlier;

~~(b)~~ (2) the event which was the subject of inquiry does not occur; or

~~(c)~~ (3) the event which was the subject of inquiry occurs elsewhere.

(b) Data regarding persons receiving free or discounted admission, tickets, or other gifts from publicly owned and operated convention facilities, civic center authorities, or the Minnesota Sports Facilities Authority are public data unless the data are subject to the provisions of subdivision 1 or 4, paragraph (b).

Sec. 2. Minnesota Statutes 2016, section 473J.03, is amended by adding a subdivision to read:

Subd. 13. **Stadium space.** "Stadium space" means a seat, personal seat license, suite, club room, parking, or any other part of the stadium or license to access any part of the stadium that a member of the general public would have to pay to use or access.

Sec. 3. Minnesota Statutes 2016, section 473J.07, subdivision 2, is amended to read:

Subd. 2. **Membership.** (a) The authority shall consist of five members.

(b) ~~The chair and two~~ three members shall be appointed by the governor and confirmed by the senate. One member appointed by the governor shall serve until December 31 of the third year following appointment and one member shall serve until December 31 of the fourth year following appointment. Thereafter, members appointed by the governor shall serve four-year terms, beginning January 1. Each member serves until a successor is appointed and takes office unless removed by the appointing authority for cause. Cause for removal includes violation of the employee code of ethics in section 43A.38. The chair serves at the pleasure of the governor.

(c) The mayor of the city shall appoint two members to the authority. One member appointed by the mayor of the city and confirmed by the senate shall serve until December 31 of the third year following appointment and one member shall serve until December 31 of the fourth year following appointment. Thereafter, members appointed under this paragraph shall serve four-year terms beginning January 1. Each member serves until a successor is appointed and takes office unless removed by the appointing authority for cause. Cause for removal includes violation of the employee code of ethics in section 43A.38. Members appointed under this paragraph may reside within the city and may be appointed officials of a political subdivision.

~~(d) The initial members of the authority must be appointed not later than June 13, 2012.~~

Sec. 4. Minnesota Statutes 2016, section 473J.07, subdivision 3, is amended to read:



Subd. 3. **Compensation.** The authority may compensate its members, ~~other than the chair~~, as provided in section 15.0575. The chair shall receive, ~~unless otherwise provided by other law, a salary in an amount fixed by the authority~~, no more than half of the salary of the executive director of the authority and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 5. Minnesota Statutes 2016, section 473J.07, subdivision 4, is amended to read:

Subd. 4. **Chair.** The chair presides at all meetings of the authority, if present, and performs all other assigned duties and functions. The members of the authority shall biennially elect a chair from among its members. The authority may appoint from among its members a vice-chair to act for the chair during the temporary absence or disability of the chair, and any other officers the authority determines are necessary or convenient.

Sec. 6. Minnesota Statutes 2016, section 473J.07, subdivision 7, is amended to read:

Subd. 7. **Audit.** The legislative auditor shall audit the books and accounts of the authority once each year or as often as the legislative auditor's funds and personnel permit. The authority shall pay the total cost of the audit pursuant to section 3.9741. The legislative auditor may conduct examinations of the authority's finances, budgets, expenditures, revenues, and its operation. The legislative auditor may periodically examine the authority's use of stadium space by the authority's members, staff, family, friends, and vendors.

Sec. 7. Minnesota Statutes 2016, section 473J.07, subdivision 8, is amended to read:

Subd. 8. **Executive director; employees.** The authority may appoint an executive director to serve as the chief executive officer of the authority. The executive director serves at the pleasure of the authority and receives compensation as determined by the authority but not to exceed 115 percent of the governor's salary. The executive director may be responsible for the operation, management, and promotion of activities of the authority, as prescribed by the authority. The executive director has the powers necessarily incident to the performance of duties required and powers granted by the authority, but does not have authority to incur liability or make expenditures on behalf of the authority without general or specific directions by the authority, as shown by the bylaws or minutes of a meeting of the authority. The executive director is responsible for hiring, supervision, and dismissal of all other employees of the authority. The authority must conduct an annual employee evaluation of the executive director, which must be reviewed and approved by the entire board.

Sec. 8. Minnesota Statutes 2016, section 473J.07, is amended by adding a subdivision to read:

Subd. 8a. **Budget; report.** After adoption, the authority shall submit its annual budget to the commissioner of management and budget and to the chairs and ranking minority members of the senate finance and house of representatives ways and means committees.

Sec. 9. Minnesota Statutes 2016, section 473J.07, subdivision 9, is amended to read:

Subd. 9. **Web site.** The authority shall establish a Web site for purposes of providing information to the public concerning all actions taken by the authority. At a minimum, the Web site must contain a current version of the authority's bylaws, notices of upcoming meetings, minutes of the authority's meetings, each annual budget, each use agreement, each management agreement, each sponsorship

agreement, meeting minutes for all meetings, policies, and procedures, and contact telephone, electronic mail, and facsimile numbers for public comments.

Sec. 10. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 15. **Annual performance reports to the legislature.** The authority must submit annual performance reports to the chair and ranking minority member of the Legislative Commission on Minnesota Sports Facilities and to the chairs and ranking minority members of the senate Finance Committee and the house of representatives Ways and Means Committee.

Sec. 11. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 16. **Use of stadium space by authority members.** Authority members may not use stadium space unless the use is for a legitimate business purpose. Legitimate business purposes are:

(1) participating in a marketing effort arranged by the authority's marketing vendor;

(2) conducting oversight of the operation of the stadium; or

(3) making stadium space available to nonprofit charitable organizations to provide access to events at the stadium for people served by the charitable organization.

Sec. 12. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 17. **Use of stadium space by staff members.** The executive director may not use stadium space unless the use is for a legitimate business purpose and is approved by a vote of the authority at a public meeting, and the legitimate business purpose is made a part of the public record. Stadium space may not be used by the authority's staff members, other than the executive director, unless the use is with the express written assignment of duties by the executive director. Staff may not receive free food or beverages and may not receive free parking unless necessary to complete the assigned duties.

Sec. 13. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 18. **Use of stadium space by family and friends of authority members.** The authority or its members may not grant access to stadium space to family members or friends of the authority's members or staff unless the use is for a legitimate business purpose and is approved by a vote of the authority at a public meeting, and the legitimate business purpose is made a part of the public record. A legitimate business purpose under this subdivision means being a prospective user of the stadium.

Sec. 14. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 19. **Use of stadium space by marketing vendor.** If the authority contracts with a vendor for services to market the stadium, the authority may extend to the marketing vendor complimentary access to stadium space for the purpose of marketing the stadium to prospective users of the stadium, provided the contract requires the vendor to report to the authority the following information within 30 days after each event at which the vendor has used stadium space:

(1) the costs of use;

(2) the identity of each attendee and their legitimate business purpose for attendance;

(3) the date, time, and a general description of the stadium event at which the suite was used;  
and

(4) the value and description of any food, parking, or other benefits provided to attendees.

Data that the authority receives under this subdivision is public data unless otherwise classified by section 13.55.

Sec. 15. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 20. **Use of suite for charitable purposes.** The Minnesota Sports Facilities Authority must make all suites to which the authority has access during NFL team stadium events under its use agreement with an NFL team, except for one suite, available to charitable organizations organized under section 501(c)(3) of the Internal Revenue Code for use during team stadium events.

Sec. 16. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 21. **Report on stadium space use by authority members, staff, and vendors.** The authority shall report the following information annually to the governor, the mayor of the city of Minneapolis, the chair of the Legislative Commission on Minnesota Sports Facilities, and the chairs and ranking minority members of the senate Finance Committee and the house of representatives Ways and Means Committee regarding use of stadium space by authority members, staff, and vendors or their guests:

(1) the costs of use;

(2) the identity of each attendee and their legitimate business purpose for attendance;

(3) the date, time, and a general description of the stadium event at which the suite was used;  
and

(4) the value and description of any food, parking, or other benefits provided to attendees.

Sec. 17. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 22. **Open market purchase.** This section does not prohibit an authority member, staff member, friend, or family member of the authority or staff from attending events, renting rooms, or using suites at the stadium for which the person purchased a ticket, rented a room, or purchased a suite, on the open market for fair market value.

Sec. 18. Minnesota Statutes 2016, section 473J.09, is amended by adding a subdivision to read:

Subd. 23. **Code of conduct.** The authority shall adopt and comply with the latest version of the state code of conduct promulgated by Minnesota Management and Budget. For purposes of section 43A.38 as applied to the authority, an authority member or an authority staff member is an "employee of the executive branch;" use of stadium space by an authority member or by authority staff, unless permitted under section 473J.09, constitutes a "gift" under section 43A.38, subdivision 2; and

constitutes "use of state property for the employee's private interest" under section 43A.48, subdivision 4.

Sec. 19. **RECOVERY.**

The Minnesota Sports Facilities Authority must recover the fair market value of any food, parking, tickets, and access to stadium suites provided to a person prior to January 1, 2017, if the provision of those benefits to the person was not in the public interest. The authority shall report on recovery efforts to the commissioner of management and budget and to the chairs and ranking minority members of the senate finance and house of representatives ways and means committees on the second Monday of each month until a full recovery is completed.

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

Sec. 20. **REPEALER.**

Minnesota Statutes 2016, section 473J.09, subdivision 14, is repealed.

Sec. 21. **EFFECTIVE DATE.**

Except where otherwise provided, this act is effective July 1, 2017, and, notwithstanding any law to the contrary, the appointment of the current executive director of the authority and the terms of all current members of the authority terminate on that date. New appointments must be made by the appointing authorities by May 1, 2017, and, if confirmed by the senate, will be effective July 2, 2017."

Delete the title and insert:

"A bill for an act relating to the Minnesota Sports Facilities Authority; classifying data; providing for appointments; modifying duties; restricting the use of stadium space; requiring reports; amending Minnesota Statutes 2016, sections 13.55, subdivision 2; 473J.03, by adding a subdivision; 473J.07, subdivisions 2, 3, 4, 7, 8, 9, by adding a subdivision; 473J.09, by adding subdivisions; repealing Minnesota Statutes 2016, section 473J.09, subdivision 14."

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1147, 300, and 700 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 400 and 234 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Westrom introduced--**

**S.F. No. 1736:** A bill for an act relating to partition fences; providing that a landowner or occupant who does not need a partition fence cannot be required to share in construction or maintenance costs; repealing a statute that applies this standard only in St. Louis County; amending Minnesota Statutes 2016, section 344.03, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2016, section 383C.809.

Referred to the Committee on Local Government.

**Senators Jensen, Kiffmeyer, Abeler, and Lourey introduced--**

**S.F. No. 1737:** A bill for an act relating to health; appropriating money for a grant program for culturally appropriate birth support services and doula services.

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

**Senators Jensen and Lourey introduced--**

**S.F. No. 1738:** A bill for an act relating to health care; requiring health plan companies to provide enrollees access to participating primary care providers; requiring health plan companies to contract with certain primary care providers; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2016, section 62Q.57.

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

**Senator Bakk introduced--**

**S.F. No. 1739:** A bill for an act relating to capital investment; appropriating money for a trailhead facility in Ely and predesign of certain road access; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Bakk introduced--**

**S.F. No. 1740:** A bill for an act relating to capital investment; appropriating money for public infrastructure in the city of Ely; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Bakk introduced--**

**S.F. No. 1741:** A bill for an act relating to local government; allowing the town of Tofte to operate municipal housing for certain purposes.

Referred to the Committee on Local Government.

**Senators Ruud, Senjem, Osmek, Sparks, and Hoffman introduced--**

**S.F. No. 1742:** A bill for an act relating to telecommunications; prohibiting regulation of voice-over-Internet protocol service and Internet protocol-enabled service; amending Minnesota Statutes 2016, section 237.01, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 237.

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

**Senators Fischbach and Jasinski introduced--**

**S.F. No. 1743:** A bill for an act relating to higher education; providing aid for Minnesota state two-year colleges located outside of the metropolitan area; appropriating money.

Referred to the Committee on Higher Education Finance and Policy.

**Senators Cohen, Pappas, Hawj, Senjem, and Wiger introduced--**

**S.F. No. 1744:** A bill for an act relating to capital investment; appropriating money for acquisition and improvements for the Minnesota Museum of American Art; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Abeler introduced--**

**S.F. No. 1745:** A bill for an act relating to human services; modifying ombudsperson program for prepaid health plans; amending Minnesota Statutes 2016, section 256B.69, subdivision 20.

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

**Senator Lang introduced--**

**S.F. No. 1746:** A bill for an act relating to transportation; providing for corridors of commerce program eligibility.

Referred to the Committee on Transportation Finance and Policy.

**Senators Anderson, P.; Wiger; Nelson; and Tomassoni introduced--**

**S.F. No. 1747:** A bill for an act relating to education finance; modifying grants for teacher-governed schools; appropriating money; amending Minnesota Statutes 2016, section 123B.045, subdivision 2a.

Referred to the Committee on E-12 Finance.

**Senators Chamberlain and Utke introduced--**

**S.F. No. 1748:** A bill for an act relating to education; modifying school performance reports; creating a school rating system; amending Minnesota Statutes 2016, section 120B.36, subdivision 1, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senators Anderson, B.; Senjem; Relph; Dahms; and Tomassoni introduced--**

**S.F. No. 1749:** A bill for an act relating to local government; providing for effect of orderly annexation agreement; limiting the annexation by ordinance of certain parcels; amending Minnesota Statutes 2016, section 414.0325, subdivision 6.

Referred to the Committee on Local Government.

**Senator Hayden introduced--**

**S.F. No. 1750:** A bill for an act relating to human services; establishing a grant program to implement the child well-being model; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256E.

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

**Senator Hayden introduced--**

**S.F. No. 1751:** A bill for an act relating to child protection; modifying monthly caseworker visit requirements; expanding report definition; modifying local welfare agency screening and assessment or investigation duties; amending Minnesota Statutes 2016, sections 260C.212, subdivision 4a; 626.556, subdivisions 2, 3c, 10.

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

**Senators Koran, Chamberlain, Isaacson, Hoffman, and Housley introduced--**

**S.F. No. 1752:** A bill for an act relating to liquor; repealing a restriction on holding both taproom and cocktail licenses; amending Minnesota Statutes 2016, section 340A.22, subdivision 2.

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

**Senators Senjem, Miller, Dibble, and Fischbach introduced--**

**S.F. No. 1753:** A bill for an act relating to transportation; establishing an active transportation program to support bicycle, pedestrian, and other nonmotorized transportation activities; allocating certain general sales tax revenue; requiring a legislative report; amending Minnesota Statutes 2016, section 297A.94; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation Finance and Policy.

**Senator Latz introduced--**

**S.F. No. 1754:** A bill for an act relating to public safety; amending the statute of limitations; amending Minnesota Statutes 2016, section 628.26.

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

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

**S.F. No. 1755:** A bill for an act relating to solid waste; modifying requirements for establishing organized collection; amending Minnesota Statutes 2016, section 115A.94, subdivisions 3, 4a, 4b, 4d.

Referred to the Committee on Local Government.

**Senators Utke, Eichorn, and Anderson, P. introduced--**

**S.F. No. 1756:** A bill for an act relating to education; modifying alternative teacher preparation program requirements; establishing an alternative teacher preparation grant program; requiring a report; appropriating money; amending Minnesota Statutes 2016, section 122A.245; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on E-12 Policy.

**Senators Kent, Wiger, and Newton introduced--**

**S.F. No. 1757:** A bill for an act relating to education finance; establishing school facilities improvement revenue; appropriating money; amending Minnesota Statutes 2016, section 126C.40, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on E-12 Finance.

**Senators Westrom and Eken introduced--**

**S.F. No. 1758:** A bill for an act relating to human services; eliminating regional variance factors for certain medical assistance services; amending Minnesota Statutes 2016, section 256B.4914, subdivisions 6, 7, 8, 9.

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

**Senator Isaacson introduced--**

**S.F. No. 1759:** A bill for an act relating to labor and industry; appropriating money for labor standards technology modernization.

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



**Senator Lourey introduced--**

**S.F. No. 1760:** A bill for an act relating to state lands; authorizing the sale of certain state lands bordering public water in Carlton County.

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

**Senator Carlson introduced--**

**S.F. No. 1761:** A bill for an act relating to state government; changing references in the clean water fund data availability provision; changing the name of the Office of MN.IT Services; amending Minnesota Statutes 2016, section 114D.50, subdivision 5.

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

**Senators Abeler and Wiklund introduced--**

**S.F. No. 1762:** A bill for an act relating to public safety; establishing a grant to Voice of East African Women for programs to reduce recruitment of East African youth by violent organizations; establishing a grant to local governments with populations at risk for recruitment by violent organizations; appropriating money.

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

**Senators Dzedzic, Klein, Hawj, and Draheim introduced--**

**S.F. No. 1763:** A bill for an act relating to natural resources; appropriating money for forest pest response.

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

**Senators Dzedzic, Draheim, Klein, and Hawj introduced--**

**S.F. No. 1764:** A bill for an act relating to natural resources; appropriating money for forest pest response.

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

**Senators Nelson and Cohen introduced--**

**S.F. No. 1765:** A bill for an act relating to arts and cultural heritage; appropriating money for arts programs.

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

**Senators Weber, Tomassoni, and Dzedzic introduced--**

**S.F. No. 1766:** A bill for an act relating to natural resources; requiring competitive bids for providing certain online courses; amending Minnesota Statutes 2016, section 97B.015, subdivision 4.

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

**Senators Kent and Housley introduced--**

**S.F. No. 1767:** A bill for an act relating to transportation; appropriating money for the Gateway Corridor Transitway.

Referred to the Committee on Transportation Finance and Policy.

**Senators Kent and Housley introduced--**

**S.F. No. 1768:** A bill for an act relating to capital investment; appropriating money for the Gateway Corridor Transitway; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Osmek introduced--**

**S.F. No. 1769:** A bill for an act relating to transportation; governing light rail transit operating costs; amending Minnesota Statutes 2016, section 473.4051, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

**Senator Mathews introduced--**

**S.F. No. 1770:** A bill for an act relating to economic development; modifying the qualification requirements for the Lake Mille Lacs area economic relief program; extending the expiration date of the program by one year; appropriating money; amending Laws 2016, chapter 189, article 7, section 46.

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

**Senators Draheim; Anderson, P.; Goggin; Champion; and Miller introduced--**

**S.F. No. 1771:** A bill for an act relating to workforce development; appropriating money for a grant to Twin Cities R!SE for the Metro Transit technician training program.

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

**Senators Draheim; Anderson, P.; Goggin; Champion; and Miller introduced--**

**S.F. No. 1772:** A bill for an act relating to workforce development; appropriating money for performance grants to Twin Cities R!SE.

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

**Senator Hoffman introduced--**

**S.F. No. 1773:** A bill for an act relating to health; exempting certain facilities that deliver home renal products from pharmacy licensure requirements; amending Minnesota Statutes 2016, sections 151.19, subdivision 1, by adding a subdivision; 151.46.

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

**Senators Abeler, Tomassoni, Housley, Koran, and Eken introduced--**

**S.F. No. 1774:** A bill for an act relating to health; changing provisions for adequate care requirement; requiring a report; amending Minnesota Statutes 2016, section 144A.04, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 256R.

Referred to the Committee on Aging and Long-term Care Policy.

**Senator Rest introduced--**

**S.F. No. 1775:** A bill for an act relating to elections; allowing voter electronic signatures for purposes of electronic rosters; amending Minnesota Statutes 2016, section 201.225, subdivisions 2, 4, 5.

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

**Senator Newman introduced--**

**S.F. No. 1776:** A bill for an act relating to occupations; providing for oversight of state occupational regulations; creating a petition process for review of occupational disqualification based on criminal history; requiring reports; amending Minnesota Statutes 2016, sections 214.001, subdivisions 1, 3; 214.002, subdivision 2; 214.01, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 214.

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

**Senators Jasinski, Draheim, Goggin, Newman, and Ingebrigtsen introduced--**

**S.F. No. 1777:** A bill for an act relating to transportation finance; allocating certain sales tax revenue; appropriating money for the small cities assistance program; amending Minnesota Statutes 2016, section 297A.94.

Referred to the Committee on Transportation Finance and Policy.

**Senators Jensen; Mathews; Goggin; Anderson, P.; and Frenz introduced--**

**S.F. No. 1778:** A bill for an act relating to state government; precluding per diem living expenses for legislators during a special session; proposing coding for new law in Minnesota Statutes, chapter 3.

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

**Senators Anderson, P.; Dzedzic; and Senjem introduced--**

**S.F. No. 1779:** A bill for an act relating to economic development; appropriating money for small business technological assistance.

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

**Senator Isaacson introduced--**

**S.F. No. 1780:** A bill for an act relating to taxation; sales and use; allowing an exemption for purchases of certain construction materials, supplies, and equipment; amending Minnesota Statutes 2016, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2.

Referred to the Committee on Taxes.

**Senators Senjem; Dzedzic; Anderson, P.; and Tomassoni introduced--**

**S.F. No. 1781:** A bill for an act relating to economic development; creating a federal research and development support program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

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

**S.F. No. 1782:** A bill for an act relating to taxation; property; modifying the requirements for class 1c property; modifying the treatment of leased seasonal-recreational land; amending Minnesota Statutes 2016, sections 272.0213; 273.13, subdivision 22.

Referred to the Committee on Taxes.

**Senators Lourey, Abeler, and Schoen introduced--**

**S.F. No. 1783:** A bill for an act relating to public safety; appropriating money for county attorneys' offices to provide juvenile protection legal services.

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

**Senators Abeler and Rosen introduced--**

**S.F. No. 1784:** A bill for an act relating to health care; establishing medical assistance hospital outcomes program and managed care organization outcomes program; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

**Senator Clausen introduced--**

**S.F. No. 1785:** A bill for an act relating to higher education; creating a grant program for postsecondary institutions offering graduate training for teachers of concurrent enrollment courses; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Benson introduced--**

**S.F. No. 1786:** A bill for an act relating to human services; appropriating money for the Minnesota eligibility system.

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

**Senator Ingebrigtsen introduced--**

**S.F. No. 1787:** A bill for an act relating to public safety; creating an open appropriation from the general fund to the public safety officer's benefit account; amending Minnesota Statutes 2016, section 299A.42.

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

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

**S.F. No. 1788:** A bill for an act relating to taxation; income and corporate franchise; providing a credit for combined heat and power systems and expander generators; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Senjem, Westrom, Sparks, Tomassoni, and Hoffman introduced--**

**S.F. No. 1789:** A bill for an act relating to housing finance; providing for housing project bonding authority allocations; amending Minnesota Statutes 2016, sections 474A.02, by adding subdivisions; 474A.03, subdivision 1; 474A.061, subdivisions 1, 2a; 474A.091, subdivisions 2, 3, 3a, by adding a subdivision.

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

**Senators Jensen; Anderson, P.; Kent; Clausen; and Fischbach introduced--**

**S.F. No. 1790:** A bill for an act relating to taxation; providing for career and technical education; establishing a high school apprenticeship pilot program with a refundable income tax credit for employers; appropriating money; requiring a report.

Referred to the Committee on E-12 Policy.

**Senators Anderson, P.; Benson; Draheim; Nelson; and Miller introduced--**

**S.F. No. 1791:** A bill for an act relating to employment; authorizing family and medical leave savings accounts; providing tax deductions for amounts deposited in family and medical leave savings accounts; exempting amounts deposited from state withholding taxes; providing a family and medical leave savings account tax credit; authorizing grants to small business development centers; appropriating money; amending Minnesota Statutes 2016, sections 290.0132, by adding a subdivision; 290.06, subdivision 2c; 290.091, subdivision 2; 290.92, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 181; 290.

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

**Senators Nelson; Anderson, P.; Pratt; Torres Ray; and Wiger introduced--**

**S.F. No. 1792:** A bill for an act relating to education finance; increasing funding for adult basic education; creating supplemental aid; appropriating money; amending Minnesota Statutes 2016, section 124D.531, subdivision 1, by adding subdivisions.

Referred to the Committee on E-12 Finance.

**Senators Cwodzinski, Latz, and Bakk introduced--**

**S.F. No. 1793:** A bill for an act relating to arts and cultural heritage; appropriating money for civic education grants.

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

**Senators Pappas, Bakk, Champion, and Simonson introduced--**

**S.F. No. 1794:** A bill for an act relating to employment; providing for earned sick and safe time; authorizing rulemaking; imposing civil penalties; requiring reports; proposing coding for new law in Minnesota Statutes, chapters 177; 181; repealing Minnesota Statutes 2016, section 181.9413.

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

**Senator Eken introduced--**

**S.F. No. 1795:** A bill for an act relating to taxation; sales and use; expanding exemptions for certain nonprofits; amending Minnesota Statutes 2016, section 297A.70, subdivisions 4, 12.

Referred to the Committee on Taxes.

**Senators Hawj, Rest, Carlson, and Torres Ray introduced--**

**S.F. No. 1796:** A bill for an act relating to taxation; individual income; allowing a refundable citizenship credit; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Pappas, Hawj, and Torres Ray introduced--**

**S.F. No. 1797:** A bill for an act relating to arts and cultural heritage; appropriating money for Hmong Folk Art in Minnesota exhibit.

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

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

**S.F. No. 1798:** A bill for an act relating to human services; expanding eligibility for child care assistance; modifying requirements for treatment prior to diagnostic assessments; expanding multigenerational mental health services; appropriating money; amending Minnesota Statutes 2016, sections 119B.05, subdivision 1; 245.467, by adding a subdivision; 245.4876, by adding a subdivision; 245.4889, subdivision 1; 256B.0625, subdivision 5l.

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

**Senator Frentz introduced--**

**S.F. No. 1799:** A bill for an act relating to motor vehicles; increasing the motor fuels tax; amending Minnesota Statutes 2016, sections 296A.07, subdivision 3; 296A.08, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

**Senator Frentz introduced--**

**S.F. No. 1800:** A bill for an act relating to legacy; appropriating money for Children's Museum of Southern Minnesota.

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

**Senator Pratt introduced--**

**S.F. No. 1801:** A bill for an act relating to capital investment; appropriating money for the Minnesota Valley Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Ruud introduced--**

**S.F. No. 1802:** A bill for an act relating to environment; enabling landfill to enter closed landfill program under certain conditions; amending Minnesota Statutes 2016, sections 115B.39, subdivision 2; 115B.40, subdivision 4.

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

**Senator Anderson, P. introduced--**

**S.F. No. 1803:** A bill for an act relating to taxation; individual income; expanding the dependent care credit; amending Minnesota Statutes 2016, section 290.067, subdivisions 1, 2b; repealing Minnesota Statutes 2016, section 290.067, subdivision 2.

Referred to the Committee on Taxes.

**Senators Miller and Pappas introduced--**

**S.F. No. 1804:** A bill for an act relating to labor relations; appropriating money for the Public Employment Relations Board.

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

**Senators Miller and Pappas introduced--**

**S.F. No. 1805:** A bill for an act relating to state government; classifying certain data of the Public Employment Relations Board; exempting the Public Employment Relations Board from the open meetings law in certain cases; amending Minnesota Statutes 2016, sections 13.43, subdivision 6; 13D.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13.

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

**Senator Fischbach introduced--**

**S.F. No. 1806:** A bill for an act relating to capital investment; modifying the purpose of a grant to the city of Sartell for the Sauk River Regional Park; amending Laws 2014, chapter 294, article 1, section 7, subdivision 11.

Referred to the Committee on Capital Investment.

**Senators Eichorn and Utke introduced--**

**S.F. No. 1807:** A bill for an act relating to transportation; requiring a study on the proposed Paul Bunyan Expressway; appropriating money.

Referred to the Committee on Transportation Finance and Policy.

**Senators Kent, Housley, Wiger, Ingebrigtsen, and Pappas introduced--**

**S.F. No. 1808:** A bill for an act relating to capital investment; appropriating money for an outdoor firing range for law enforcement training in Maplewood; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.



**Senators Goggin, Draheim, Eken, and Sparks introduced--**

**S.F. No. 1809:** A bill for an act relating to rural development; creating a pilot project for community design that addresses community assets, needs, and goals for growth in culture, arts, humanities, recreation, and community design in greater Minnesota; appropriating money.

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

**Senator Dahms introduced--**

**S.F. No. 1810:** A bill for an act relating to state lands; authorizing conveyance of certain land.

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

**Senator Jasinski introduced--**

**S.F. No. 1811:** A bill for an act relating to security freezes; authorizing security freezes for protected persons; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 13C.

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

**Senator Carlson introduced--**

**S.F. No. 1812:** A bill for an act relating to state government; modifying appointments to the Minnesota Assistive Technology Advisory Council; codifying the Office of Equity in Procurement; changing who may certify a small business for procurements; expanding master contract processes; amending Minnesota Statutes 2016, sections 16B.055, subdivision 1; 16C.05, subdivision 2; 16C.19; 16C.36; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

**Senator Latz introduced--**

**S.F. No. 1813:** A bill for an act relating to civil actions; providing judgment debtors a standard exemption for funds in bank or other deposit accounts; amending Minnesota Statutes 2016, sections 550.135, subdivision 4; 550.143, subdivision 3c; 550.37, subdivision 20, by adding a subdivision; 551.04, subdivision 3; 551.05, subdivision 1d; 571.912.

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

**Senator Fischbach introduced--**

**S.F. No. 1814:** A bill for an act relating to parks and trails; extending appropriation for Sauk River Regional Park.

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

**Senator Ingebrigtsen introduced--**

**S.F. No. 1815:** A bill for an act relating to game and fish; placing moratorium on stocking muskellunge in new waters; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

**Senators Lourey, Jensen, Gazelka, Hayden, and Benson introduced--**

**S.F. No. 1816:** A bill for an act relating to health care; creating a task force to review and evaluate the licensure structure of health plan companies and other entities; appropriating money.

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

**Senators Latz and Pappas introduced--**

**S.F. No. 1817:** A bill for an act relating to human rights; providing unredacted information to the parties in a closed case under certain circumstances; amending Minnesota Statutes 2016, section 363A.35, subdivision 3.

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

**Senators Pappas and Latz introduced--**

**S.F. No. 1818:** A bill for an act relating to human rights; classifying data collected under the workforce certificate of compliance; amending Minnesota Statutes 2016, section 363A.36, by adding a subdivision.

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

**Senators Latz and Pappas introduced--**

**S.F. No. 1819:** A bill for an act relating to state government; extending the statute of limitations for a minor child filing a claim under the Human Rights Act; amending Minnesota Statutes 2016, sections 363A.07, subdivision 3; 363A.28, subdivision 3, by adding a subdivision.

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

**Senators Nelson, Eichorn, and Dzedzic introduced--**

**S.F. No. 1820:** A bill for an act relating to education finance; increasing the general education formula allowance; amending Minnesota Statutes 2016, section 126C.10, subdivision 2.

Referred to the Committee on E-12 Finance.

**Senator Nelson introduced--**

**S.F. No. 1821:** A bill for an act relating to education; establishing contract accountability measures for charter schools serving at-risk student populations; amending Minnesota Statutes 2016, section 124E.10, subdivision 1, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senators Osmek and Anderson, P. introduced--**

**S.F. No. 1822:** A bill for an act relating to metropolitan government; transferring all long-range transportation planning functions from the Metropolitan Council to the Department of Transportation; amending Minnesota Statutes 2016, sections 174.03, by adding a subdivision; 473.145; 473.146; 473.1466; 473.166; 473.167, subdivision 2; 473.168, subdivision 2; 473.181, subdivision 5; 473.192, subdivision 2; 473.375, subdivision 9a.

Referred to the Committee on Local Government.

**Senator Osmek introduced--**

**S.F. No. 1823:** A bill for an act relating to transportation; prohibiting state funding for light rail operating costs on new or expanded light rail lines; amending Minnesota Statutes 2016, section 473.4051, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

**Senator Osmek introduced--**

**S.F. No. 1824:** A bill for an act relating to energy; appropriating money to the Department of Commerce to remediate vermiculate insulation from households.

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

**Senator Osmek introduced--**

**S.F. No. 1825:** A bill for an act relating to transit; providing for the creation of special taxing districts to capture incremental property taxes to finance operating costs of light rail and bus rapid transit lines; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Transportation Finance and Policy.

**Senators Koran and Dahms introduced--**

**S.F. No. 1826:** A bill for an act relating to insurance; regulating rates; modifying depreciation calculations; amending Minnesota Statutes 2016, section 70A.06, by adding a subdivision.

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

**Senators Anderson, P. and Utke introduced--**

**S.F. No. 1827:** A bill for an act relating to education finance; establishing a working group to review progress on Minnesota's school finance reform efforts; appropriating money.

Referred to the Committee on E-12 Finance.

**Senator Gazelka introduced--**

**S.F. No. 1828:** A bill for an act relating to capital investment; appropriating money for demolition of the Eagle Bend High School; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Gazelka introduced--**

**S.F. No. 1829:** A bill for an act relating to education; modifying the procedures for dissolution and attachment of school districts; authorizing the Eagle Valley School District to issue bonds for its reorganization operating debt; providing for transition aid for districts attaching territory of the Eagle Valley School District; amending Minnesota Statutes 2016, section 123A.73, subdivision 2; repealing Minnesota Statutes 2016, section 123A.73, subdivision 3.

Referred to the Committee on E-12 Policy.

**Senators Limmer, Hall, Latz, and Ingebrigtsen introduced--**

**S.F. No. 1830:** A bill for an act relating to public safety; appropriating money from the fire safety account.

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

**Senator Limmer introduced--**

**S.F. No. 1831:** A bill for an act relating to criminal justice; expanding law enforcement access to financial records in certain limited circumstances; amending Minnesota Statutes 2016, sections 13A.02, subdivisions 1, 2; 609.527, subdivision 1, by adding a subdivision; 626.15.

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

**Senators Abeler, Hall, Limmer, Pappas, and Osmek introduced--**

**S.F. No. 1832:** A bill for an act relating to capital improvements; appropriating money to the Metropolitan Council for regional park and open-space land acquisition and improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Koran, Kiffmeyer, and Draheim introduced--**

**S.F. No. 1833:** A bill for an act relating to public employment; requiring affirmative approval before interim implementation of state employee collective bargaining agreements; amending Minnesota Statutes 2016, section 3.855, subdivision 2.

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

**Senator Koran introduced--**

**S.F. No. 1834:** A bill for an act relating to state lands; authorizing the conveyance of certain state lands bordering public water in Chisago County.

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

**Senator Koran introduced--**

**S.F. No. 1835:** A bill for an act relating to education; allowing schools to maintain a supply of oxygen; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on E-12 Policy.

**Senator Koran introduced--**

**S.F. No. 1836:** A bill for an act relating to state government; requiring a contracting agency to meet with vendors prior to issuing a notice of proposed contract; amending Minnesota Statutes 2016, sections 15.061; 16C.08, subdivision 3.

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

**Senator Koran introduced--**

**S.F. No. 1837:** A bill for an act relating to education; prohibiting construction of schools near former landfills; requiring notice by schools located near former landfills; amending Minnesota Statutes 2016, section 123B.51, by adding a subdivision.

Referred to the Committee on E-12 Policy.

**Senator Miller introduced--**

**S.F. No. 1838:** A bill for an act relating to natural resources; appropriating money for extending Blufflands trail system.

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

**Senator Miller introduced--**

**S.F. No. 1839:** A bill for an act relating to retirement; Teachers Retirement Association, Minnesota State Retirement System, and the higher education individual retirement account plan;

correcting a plan election problem; authorizing eligible Winona State University employees to elect Teachers Retirement Association coverage and receive retroactive coverage.

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

**Senator Relph introduced--**

**S.F. No. 1840:** A bill for an act relating to mass transit; requiring initiation of negotiations to extend and modify Northstar commuter rail passenger service.

Referred to the Committee on Transportation Finance and Policy.

**Senator Relph introduced--**

**S.F. No. 1841:** A bill for an act relating to eminent domain; eliminating certain procedural exceptions for construction or expansion of light rail or bus rapid transit lines; amending Minnesota Statutes 2016, section 117.189.

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

**Senators Franzen and Rest introduced--**

**S.F. No. 1842:** A bill for an act relating to taxation; individual income and corporate franchise; establishing a refundable tax credit for certain qualified child care expenses and professionals; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Bakk, Klein, Cohen, Hoffman, and Rest introduced--**

**S.F. No. 1843:** A bill for an act relating to state government; reducing the number of members of the legislature; amending Minnesota Statutes 2016, sections 2.021; 2.031, subdivision 1.

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

**Senators Kiffmeyer, Abeler, Benson, and Eaton introduced--**

**S.F. No. 1844:** A bill for an act relating to health and human services; adding advanced practice registered nurses and physician assistants to certain statutes; amending Minnesota Statutes 2016, sections 62Q.56, subdivision 1a; 144.213, subdivision 1; 144.441, subdivision 3; 145.7131; 145.867, subdivision 2; 252A.21, subdivision 2; 256.9365, subdivision 2; 256B.056, subdivision 2; 256B.057, subdivision 9; 256B.0575, subdivision 1; 256B.0625, subdivision 2; 256B.0653, subdivision 4; 256B.15, subdivision 1a; 256D.44, subdivisions 4, 5; 256R.04, subdivision 6; 514.981, subdivision 2; 626.556, subdivision 11d.

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

**Senators Nelson, Franzen, Abeler, and Pratt introduced--**

**S.F. No. 1845:** A bill for an act relating to state government; education finance; establishing the early education access fund in the Department of Administration; establishing a director of early education and development within the early education access fund; providing for enhanced coordination of early education and development programs; authorizing early education resource hubs; requiring a report; transferring certain early education programs to the director of early education and development; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 119C.

Referred to the Committee on E-12 Policy.

**Senators Senjem and Anderson, P. introduced--**

**S.F. No. 1846:** A bill for an act relating to labor and industry; modifying the pipeline dual-training programs; appropriating money; amending Minnesota Statutes 2016, section 175.45.

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

**Senator Kent introduced--**

**S.F. No. 1847:** A bill for an act relating to education; providing for student data; establishing a task force; appropriating money; amending Minnesota Statutes 2016, sections 120B.31, subdivision 4, by adding a subdivision; 120B.35, subdivision 3.

Referred to the Committee on E-12 Policy.

**Senator Utke introduced--**

**S.F. No. 1848:** A bill for an act relating to commerce; regulating no-fault auto benefits; requiring the deduction of basic economic loss benefits previously provided; amending Minnesota Statutes 2016, sections 65B.44, subdivision 5; 65B.51, by adding a subdivision.

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

**Senators Koran, Kiffmeyer, Benson, and Chamberlain introduced--**

**S.F. No. 1849:** A bill for an act relating to local governments; providing for reverse referendum approval of certain issuance of debt; proposing coding for new law in Minnesota Statutes, chapter 416.

Referred to the Committee on Taxes.

**Senators Eaton, Hawj, Wiger, and Dibble introduced--**

**S.F. No. 1850:** A bill for an act relating to game and fish; prohibiting open season for taking wolves; amending Minnesota Statutes 2016, section 97B.645, subdivision 9.

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

**Senators Eaton, Lourey, and Rosen introduced--**

**S.F. No. 1851:** A bill for an act relating to public safety; modifying the schedules of controlled substances; amending Minnesota Statutes 2016, section 152.02, subdivisions 2, 12.

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

**Senator Carlson introduced--**

**S.F. No. 1852:** A bill for an act relating to state government; appropriating money to the commissioner of administration for the State Demographer's Office.

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

**Senators Jasinski, Eichorn, Sparks, and Frentz introduced--**

**S.F. No. 1853:** A bill for an act relating to transportation; providing for appeal process for denial or revocation of driveway permit by commissioner of transportation; amending Minnesota Statutes 2016, section 160.18, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Marty, Dibble, Lourey, and Torres Ray introduced--**

**S.F. No. 1854:** A bill for an act relating to health; prohibiting conversion therapy with children or vulnerable adults; prohibiting medical assistance coverage for conversion therapy; amending Minnesota Statutes 2016, section 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 214.

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

**Senators Marty, Wiger, and Wiklund introduced--**

**S.F. No. 1855:** A bill for an act relating to local government; authorizing Ramsey County to select positions for a supported work program; amending Minnesota Statutes 2016, section 383A.288, subdivision 1, by adding a subdivision.

Referred to the Committee on Local Government.

**Senator Dibble introduced--**

**S.F. No. 1856:** A bill for an act relating to transportation; amending requirements governing driver's licenses and Minnesota identification cards; authorizing issuance of driving card; establishing fee for issuance of driving card; requiring notification and training for election judges; amending Minnesota Statutes 2016, sections 171.01, by adding a subdivision; 171.02, by adding a subdivision; 171.06, subdivisions 2, 3, by adding a subdivision; 171.07, by adding a subdivision; repealing Minnesota Rules, part 7410.0410, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.

Referred to the Committee on Transportation Finance and Policy.



**Senator Dibble introduced--**

**S.F. No. 1857:** A bill for an act relating to transportation finance; amending provisions governing transportation finance; establishing gross receipts motor fuels tax; amending vehicle registration tax and metropolitan area transit sales tax; amending distribution of highway user fund and state-aid funding; modifying various fees and charges; modifying fiscal policies; requiring reports; authorizing sale and issuance of trunk highway bonds; appropriating money; amending Minnesota Statutes 2016, sections 115A.908; 161.081, subdivision 1; 161.082, subdivision 1, by adding a subdivision; 161.083; 161.46, subdivision 2; 168.012, subdivision 1c; 168.013, subdivisions 1a, 8; 168.12, subdivisions 1, 2, 2b, 2c, 2d, 2e, 2g, 5; 168.121, subdivision 1; 168.123, subdivision 1; 168.1235, subdivision 1; 168.1255, subdivision 1; 168.128, subdivision 2; 168.1291, subdivision 4; 168.1295, subdivision 1; 168.1296, subdivision 1; 168.1297, subdivision 1; 168.1298, subdivision 1; 168.1299, subdivision 1; 168.27, subdivision 22; 168.31, by adding a subdivision; 168.33, subdivisions 2, 7; 168.62, subdivision 3; 174.42, by adding a subdivision; 174.50, by adding a subdivision; 296A.061; 296A.11; 296A.12; 296A.16; 296A.18, subdivisions 2, 3, 4, 5, 6, 7; 297A.815, subdivision 3; 297A.992, subdivisions 1, 4, 5, 6; 297B.09, subdivision 1; 473.167; Laws 2014, chapter 312, article 11, section 33; proposing coding for new law in Minnesota Statutes, chapters 161; 174; 219; 296A; 297A; repealing Minnesota Statutes 2016, sections 161.081, subdivision 3; 473.4051, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

**Senator Eichorn introduced--**

**S.F. No. 1858:** A bill for an act relating to natural resources; appropriating money for a study on lead shot.

Referred to the Committee on Environment and Natural Resources Finance.

**Senator Chamberlain introduced--**

**S.F. No. 1859:** A bill for an act relating to education; abolishing the Perpich Center for Arts Education; creating a position within the Department of Education; planning for conveyance of the Perpich Arts High School and Crosswinds Arts and Science School; amending Minnesota Statutes 2016, sections 43A.08, subdivisions 1, 1a; 122A.416; 123A.30, subdivision 6; 124D.05, subdivision 3; 297A.70, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 127A; repealing Minnesota Statutes 2016, sections 129C.10; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; 129C.30; Minnesota Rules, parts 3600.0010, subparts 1, 2, 2a, 2b, 3, 6; 3600.0020; 3600.0030, subparts 1, 2, 4, 6; 3600.0045; 3600.0055; 3600.0065; 3600.0075; 3600.0085.

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

**Senator Chamberlain introduced--**

**S.F. No. 1860:** A bill for an act relating to education; abolishing the Perpich Center for Arts Education; creating a position within the Department of Education; planning for conveyance of the Perpich Arts High School and Crosswinds Arts and Science School; amending Minnesota Statutes 2016, sections 43A.08, subdivisions 1, 1a; 122A.416; 123A.30, subdivision 6; 124D.05, subdivision 3; 297A.70, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 127A;

repealing Minnesota Statutes 2016, sections 129C.10; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; 129C.30; Minnesota Rules, parts 3600.0010, subparts 1, 2, 2a, 2b, 3, 6; 3600.0020; 3600.0030, subparts 1, 2, 4, 6; 3600.0045; 3600.0055; 3600.0065; 3600.0075; 3600.0085.

Referred to the Committee on E-12 Policy.

**Senators Hoffman and Kent introduced--**

**S.F. No. 1861:** A bill for an act relating to education; affecting student inclusion and engagement; making nonexclusionary policies and practices a central focus of pupil discipline; appropriating money; amending Minnesota Statutes 2016, sections 121A.41, by adding subdivisions; 121A.46, by adding a subdivision; 121A.47, by adding a subdivision; 122A.60, subdivision 1a.

Referred to the Committee on E-12 Policy.

**MOTIONS AND RESOLUTIONS**

Senator Wiger moved that the name of Senator Eichorn be added as a co-author to S.F. No. 7. The motion prevailed.

Senator Wiger moved that the name of Senator Utke be added as a co-author to S.F. No. 333. The motion prevailed.

Senator Pratt moved that the name of Senator Franzen be added as a co-author to S.F. No. 524. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Schoen be added as a co-author to S.F. No. 788. The motion prevailed.

Senator Newman moved that the name of Senator Frentz be added as a co-author to S.F. No. 821. The motion prevailed.

Senator Pratt moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Osmek be added as chief author to S.F. No. 892. The motion prevailed.

Senator Eichorn moved that the name of Senator Utke be added as a co-author to S.F. No. 1108. The motion prevailed.

Senator Ruud moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 1123. The motion prevailed.

Senator Utke moved that the name of Senator Frentz be added as a co-author to S.F. No. 1154. The motion prevailed.

Senator Abeler moved that the name of Senator Jensen be added as a co-author to S.F. No. 1275. The motion prevailed.

Senator Utke moved that the name of Senator Sparks be added as a co-author to S.F. No. 1293. The motion prevailed.

Senator Hall moved that his name be stricken as a co-author to S.F. No. 1323. The motion prevailed.

Senator Relph moved that the name of Senator Hall be added as a co-author to S.F. No. 1407. The motion prevailed.

Senator Jensen moved that the name of Senator Hayden be added as a co-author to S.F. No. 1421. The motion prevailed.

Senator Koran moved that the name of Senator Hayden be added as a co-author to S.F. No. 1504. The motion prevailed.

Senator Anderson, P. moved that the names of Senators Hayden and Champion be added as co-authors to S.F. No. 1505. The motion prevailed.

Senator Nelson moved that the names of Senators Wiger, Torres Ray, and Abeler be added as co-authors to S.F. No. 1555. The motion prevailed.

Senator Hall moved that the name of Senator Pappas be added as a co-author to S.F. No. 1598. The motion prevailed.

Senator Chamberlain moved that the names of Senators Osmek, Hayden, and Hall be added as co-authors to S.F. No. 1604. The motion prevailed.

Senator Lourey moved that the names of Senators Abeler and Hayden be added as co-authors to S.F. No. 1616. The motion prevailed.

Senator Relph moved that the name of Senator Kent be added as a co-author to S.F. No. 1627. The motion prevailed.

Senator Latz moved that the names of Senators Bakk and Dziedzic be added as co-authors to S.F. No. 1675. The motion prevailed.

Senator Dziedzic moved that the name of Senator Pappas be added as a co-author to S.F. No. 1697. The motion prevailed.

Senator Kiffmeyer moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Koran be added as chief author to S.F. No. 1709. The motion prevailed.

Senator Hawj moved that the names of Senators Newton, Limmer, and Cwodzinski be added as co-authors to S.F. No. 1710. The motion prevailed.

Senator Ruud moved that the name of Senator Wiger be added as a co-author to S.F. No. 1734. The motion prevailed.

Senator Senjem moved that S.F. No. 146 be withdrawn from the Committee on Commerce and Consumer Protection Finance and Policy and re-referred to the Committee on Energy and Utilities Finance and Policy. The motion prevailed.

Senator Dahms moved that S.F. No. 1155 be withdrawn from the Committee on Judiciary and Public Safety Finance and Policy and re-referred to the Committee on Environment and Natural Resources Policy and Legacy Finance. The motion prevailed.

Senator Rest moved that S.F. No. 1628 be withdrawn from the Committee on Taxes and returned to its author. The motion prevailed.

Senator Utke moved that S.F. No. 879, No. 38 on General Orders, be stricken and re-referred to the Committee on Commerce and Consumer Protection Finance and Policy. The motion prevailed.

**Senator Limmer introduced --**

**Senate Resolution No. 54:** A Senate resolution honoring Charles Samuelson on the occasion of his retirement from the American Civil Liberties Union of Minnesota.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 3 a Special Order to be heard immediately.

**SPECIAL ORDER**

**H.F. No. 3:** A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing driver's licenses and Minnesota identification cards; amending imposition of certain fees; requiring legislative reporting; amending Minnesota Statutes 2016, sections 171.01, by adding subdivisions; 171.017; 171.04, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.07, subdivisions 1, 3, 4, 9a; 171.071, subdivision 3; 171.072; 171.12, by adding subdivisions; 171.27; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Laws 2009, chapter 92, section 1, as amended.

Senator Westrom moved to amend H.F. No. 3, the unofficial engrossment, as follows:

Page 23, after line 27, insert:

"Sec. 25. CONTINGENT REPEALER.

If the Federal REAL ID Act, Public Law 109-13, Division B, is repealed or if the definition of "official purpose" in Code of Federal Regulations, title 6, part 37, is amended, the provisions of this act become null and void on June 30 of the following year. On June 30 in the year after the repeal or amendment, the commissioner of the Department of Public Safety must stop issuing REAL ID compliant driver's licenses and identification cards. Within 90 days of the federal repeal or amendment, the commissioner must submit a report, including proposed legislative changes, to repeal all aspects of this act to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance, public safety, and data practices; the revisor of statutes; and the Legislative Commission on Data Practices and Personal Data Privacy."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Latz moved to amend H.F. No. 3, the unofficial engrossment, as follows:

Page 23, line 3, delete "only to the extent necessary"

Page 23, line 4, delete "the technical aspects of"

Senator Dibble moved to amend the Latz amendment to H.F. No. 3, the unofficial engrossment, as follows:

Page 1, delete lines 2 and 3 and insert:

"Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or Minnesota identification card issued under section 171.019, subdivision 2, paragraph (b).

Sec. 2. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 45b. **REAL ID Act.** "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

Sec. 3. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 48b. **Temporary lawful status.** "Temporary lawful status" has the meaning given in Code of Federal Regulations, title 6, section 37.3.

Sec. 4. Minnesota Statutes 2016, section 171.017, is amended to read:

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

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

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

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

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

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

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

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

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

(c) The superintendent shall recover the ~~cost to the bureau of a~~ bureau's background check cost for the person on whom the background check is performed through a fee charged to the commissioner or the driver's license agent who requested the background check.

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

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

Sec. 5. [171.019] REAL ID ACT CONFORMITY; LIMITATIONS.

Subdivision 1. **Definition.** For purposes of this section, "federal change" means a modification or addition to REAL ID Act requirements, made by the federal government after the effective date of this act, with respect to: legal requirements; processes; policies and procedures; or data collection, storage, and dissemination. Federal change includes but is not limited to a modification:

(1) in what constitutes an official purpose under Code of Federal Regulations, title 6, part 37;

(2) in the machine-readable technology standards for a license or Minnesota identification card;

(3) in the information provided on the face of the license or Minnesota identification card;

(4) that relates to dissemination of state-provided data to or among federal agencies, other states, organizations operating under agreement among the states, or private entities; or

(5) that imposes an identifiable cost for the state of Minnesota.

Subd. 2. **License and Minnesota identification card options.** (a) The commissioner must meet the requirements of the REAL ID Act for licenses and identification cards, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

(b) The commissioner must establish a license and Minnesota identification card that does not meet all requirements of the REAL ID Act, including but not limited to section 171.12, subdivision 7b, as provided in this chapter.

(c) The commissioner must establish an enhanced driver's license or enhanced identification card as provided in this chapter.

Subd. 3. **Limitations.** Compliance under subdivision 2, paragraph (a), is limited to those requirements of the REAL ID Act and any rules or regulations promulgated pursuant to the REAL ID Act in effect as of the effective date of this act. The commissioner may not take any action to implement or meet the requirements of a federal change.

Subd. 4. **Legislative notification.** (a) Upon identification of an impending or completed federal change, the commissioner must notify the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance, public safety, and data practices, and the Legislative Commission on Data Practices and Personal Data Privacy. Notification must be submitted as required under section 3.195, except that printed copies are not required.

(b) Notification under this subdivision must include a review of the federal change, an initial analysis of data practices impacts, and any preliminary estimates of implementation costs, including the availability of additional federal funds.

Subd. 5. **Statutory construction.** (a) Unless specifically provided otherwise, a driver's license, instruction permit, or provisional license includes any noncompliant license. Unless specifically provided otherwise, a Minnesota identification card includes any noncompliant identification card.

(b) A noncompliant license does not include an enhanced driver's license, and a noncompliant identification card does not include an enhanced identification card.

Sec. 6. Minnesota Statutes 2016, section 171.04, is amended by adding a subdivision to read:

Subd. 5. **Temporary lawful admission.** The commissioner is prohibited from issuing a driver's license or Minnesota identification card to an applicant whose lawful temporary admission period, as demonstrated under section 171.06, subdivision 3, paragraph (b), expires within 30 days of the date of the application.

Sec. 7. Minnesota Statutes 2016, section 171.06, subdivision 1, is amended to read:

Subdivision 1. ~~Forms of Application format and requirements.~~ (a) Every application for a Minnesota identification card, ~~for including an enhanced identification card, or for a driver's license including for an instruction permit, for a provisional license, for a driver's license, or for and an enhanced driver's license,~~ must be made in a format approved by the department, ~~and~~ Every application must be accompanied by payment of the proper fee. ~~All first-time applications and change of status applications must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States or United States citizenship~~

(b) All applicants must sign the application and declare, under penalty of perjury, that the information and documentation presented in the application is true and correct. The application must be signed in the presence of the person authorized to accept the application, or the signature ~~on the application~~ may be verified by a notary public.

Sec. 8. Minnesota Statutes 2016, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

<u>REAL ID Compliant Classified</u>				
Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
<u>Noncompliant Classified</u>				
Driver's License	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$36.25</u>
<u>REAL ID Compliant Classified</u>				
Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
<u>Noncompliant Classified</u>				
Under-21 D.L.	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$16.25</u>
Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
Commercial Learner's Permit				\$2.50
Provisional License				\$8.25
Enhanced Provisional License				\$23.25
Duplicate <u>REAL ID Compliant</u>				
License or duplicate <u>REAL ID</u>				
<u>Compliant</u> identification card				\$6.75
Duplicate <u>Noncompliant</u>				
License or duplicate				
<u>noncompliant</u> identification				
<u>card</u>				<u>\$6.75</u>
Enhanced Duplicate License				
or enhanced duplicate				
identification card				\$21.75
<u>REAL ID Compliant</u>				
Minnesota identification card				
or <u>REAL ID Compliant</u>				
Under-21 Minnesota				\$11.25



identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a

Noncompliant identification card or noncompliant Under-21 Minnesota identification card

\$11.25

Enhanced Minnesota identification card

\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

Sec. 9. Minnesota Statutes 2016, section 171.06, subdivision 3, is amended to read:

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

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

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

(3) state:

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

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

~~(4) in the case of an application for an enhanced driver's license or enhanced identification card, present:~~

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

~~(ii) a photographic identity document;~~

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

~~(6) (4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and~~

~~(7) (5) contain a space spaces where the applicant may:~~

~~(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;~~

~~(ii) indicate a desire to make an anatomical gift under paragraph (d); and~~

~~(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c.~~

~~(b) Applications must be accompanied by satisfactory evidence demonstrating:~~

~~(1) identity, date of birth, and any legal name change if applicable; and~~

~~(2) for drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:~~

~~(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;~~

~~(ii) Social Security number, or related documentation as applicable; and~~

~~(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.~~

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

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

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

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

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

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

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

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

Sec. 10. Minnesota Statutes 2016, section 171.06, is amended by adding a subdivision to read:

Subd. 3b. **Information for applicants.** (a) The commissioner must develop summary information on identity document options and must ensure availability of the information for driver's license and Minnesota identification card applicants. Renewal notifications mailed to license and identification cardholders must include the Web site address required by paragraph (b), and the nearest physical address where an individual may obtain a copy of the summary.

(b) The summary information must, at a minimum, identify:

(1) each available type of driver's license and Minnesota identification card, including a noncompliant license or identification card, an enhanced driver's license, and an enhanced identification card;

(2) the official purposes of and limitations on use for each type of driver's license and Minnesota identification card;

(3) an overview of data shared outside the state, including through electronic validation or verification systems, as part of the application and issuance of each type;

(4) a statement notifying applicants that a driver's license or Minnesota identification card that meets the requirements of the REAL ID Act is not mandatory; and

(5) an Internet address linking to a department Web page containing more complete information.

(c) An applicant for a noncompliant license or identification card must sign an acknowledgment that the applicant understands the limitations on use of the license or card.

Sec. 11. **[171.0605] EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.**

Subdivision 1. **Scope and application.** This section applies only to drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act. Except as otherwise provided under this section, the requirements of Minnesota Rules, chapter 7410, or successor rules, apply.

Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

(1) a driver's license or identification card that:

(i) complies with all requirements of the REAL ID Act;

(ii) is not designated as temporary or limited term; and

(iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport booklet or passport card issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, DS-1350, or FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551;

(6) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

(7) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-56;

(8) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B;

(9) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States; or

(10) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11(c)(1)(x).

(b) A document under paragraph (a) must be legible and unaltered.

Subd. 3. **Evidence; lawful status.** Only a form of documentation identified under subdivision 2 or a document issued by a federal agency that demonstrates the applicant's lawful status are satisfactory evidence of an applicant's lawful status under section 171.06, subdivision 3, clause (2).

Subd. 4. **Evidence; Social Security number.** The following is satisfactory evidence of an applicant's Social Security number or related documentation under section 171.06, subdivision 3, paragraph (b):

(1) a Social Security card;

(2) if a Social Security card is not available:

(i) a federal Form W-2;

(ii) a federal Form SSA-1099 or other federal Form 1099 having the applicant's Social Security number; or

(iii) a computer-printed United States employment pay stub with the applicant's name, address, and Social Security number; or

(3) for an applicant who provides a passport under subdivision 2, paragraph (a), clause (9), documentation demonstrating nonwork authorized status.

Subd. 5. **Evidence; residence in Minnesota.** Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

(1) a home utility services bill issued no more than 90 days before the application, provided that the commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) a home utility services hook-up work order issued no more than 90 days before the application, provided that the commissioner must not accept a home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information issued no more than 90 days before the application, with account numbers redacted, including:

(i) a bank account statement;

(ii) a canceled check; or

(iii) a credit card statement;

(4) a United States high school identification card with a certified transcript from the school, if issued no more than 180 days before the application;

(5) a Minnesota college or university identification card with a certified transcript from the college or university, if issued no more than 180 days before the application;

(6) an employment pay stub issued no more than 90 days before the application that lists the employer's name, address, and telephone number;

(7) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(8) a statement from a housing with services building registered under chapter 144D, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 90 days before the application;

(9) a life, health, automobile, homeowner's, or renter's insurance policy issued no more than 90 days before the application, provided that the commissioner must not accept a proof of insurance card;

(10) a federal or state income tax return or statement for the most recent tax filing year;

(11) a Minnesota property tax statement for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(12) a Minnesota vehicle certificate of title, if issued no more than 12 months before the application;

(13) a filed property deed or title for current residence, if issued no more than 12 months before the application;

(14) a Supplemental Security Income award statement issued no more than 12 months before the application;

(15) mortgage documents for the applicant's principal residence;

(16) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;

(17) a valid driver's license, including an instruction permit, issued under this chapter;

(18) a valid Minnesota identification card;

(19) an unexpired Minnesota professional license;

(20) an unexpired Selective Service card; or

(21) military orders that are still in effect at the time of application.

(b) A document under paragraph (a) must include the applicant's name and an address in Minnesota.

Subd. 6. **Exceptions process.** (a) The commissioner may grant a variance from the requirements of this section as provided under Minnesota Rules, part 7410.0600, or successor rules, for evidence of:

(1) identity or date of birth under subdivision 2;

(2) lawful status under subdivision 3, only for demonstration of United States citizenship;

(3) Social Security number under subdivision 4; and

(4) residence in Minnesota under subdivision 5.

(b) The commissioner must not grant a variance for an applicant having a lawful temporary admission period.

Sec. 12. Minnesota Statutes 2016, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents and design.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear: (1) a distinguishing number assigned to the licensee; (2) the licensee's full name and date of birth; (3) either ~~(1)~~ (i) the licensee's residence address, or ~~(2)~~ (ii) the designated address under section 5B.05; (4) a description of the licensee in a manner as the commissioner deems necessary; and (5) the usual signature of the licensee; and (6) designations and markings as provided in this section. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

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

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

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

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

(e) Except for an enhanced driver's license or a noncompliant license, a license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant license must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator.

(g) A license issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A license must display the licensee's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

Sec. 13. Minnesota Statutes 2016, section 171.07, subdivision 3, is amended to read:

Subd. 3. **Identification card; content and design; fee.** (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state, or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either (1) (i) the licensee's residence address, or (2) (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; and (6) the usual signature of the applicant; and (7) designations and markings provided under this section.

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



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

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) Except for an enhanced identification card or a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant identification card must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator.

(g) A Minnesota identification card issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

~~(i)~~ (i) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

Sec. 14. Minnesota Statutes 2016, section 171.07, subdivision 4, is amended to read:

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

~~(b) A Minnesota identification card issued to~~ For an applicant age 65 or older shall be:

(1) the expiration date of a Minnesota identification card is the birthday of the applicant in the eighth year following the date of issuance of the card; or

(2) a noncompliant identification card is valid for the lifetime of the applicant, ~~except that~~.

(c) For the purposes of this paragraph (b), "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

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

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

Sec. 15. Minnesota Statutes 2016, section 171.07, subdivision 9a, is amended to read:

Subd. 9a. ~~Security for enhanced driver's license and identification card features.~~ ~~An enhanced~~ (a) A driver's license or enhanced identification card must include reasonable security measures to: prevent forgery, alteration, reproduction, and counterfeiting; facilitate detection of fraud; prohibit the ability to superimpose a photograph or electronically produced image; and to protect against unauthorized disclosure of personal information regarding residents of this state that is contained in the enhanced driver's license or enhanced identification card. The ~~enhanced~~ driver's license must include the best available anticounterfeit laminate technology.

~~The~~ (b) An enhanced driver's license or enhanced identification card may include radio frequency identification technology that is limited to a randomly assigned number, which must be encrypted if agreed to by the United States Department of Homeland Security and does not include biometric data or any information other than the citizenship status of the license holder or cardholder. The commissioner shall ensure that the radio frequency identification technology is secure from unauthorized data access. An applicant must sign an acknowledgment of understanding of the radio frequency identification technology and its use for the sole purpose of verifying United States citizenship before being issued an enhanced driver's license or an enhanced identification card.

Sec. 16. Minnesota Statutes 2016, section 171.071, subdivision 3, is amended to read:

Subd. 3. ~~Exception Limitations.~~ Subdivision 1 applies only to a noncompliant license or identification card. Subdivisions 1 and 2 do not apply to the commissioner's requirements pertaining to a photograph or electronically produced image on an enhanced driver's license or an enhanced identification card.

Sec. 17. Minnesota Statutes 2016, section 171.072, is amended to read:

#### **171.072 TRIBAL IDENTIFICATION CARD.**

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules, when an applicant applies for a noncompliant license or identification card.

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

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

(d) The requirements of this section do not apply to: (1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

Sec. 18. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a) The commissioner must establish written procedures to ensure that only individuals authorized by law may enter, update, or access not public data collected, created, or maintained by the driver and vehicle services information system. An authorized individual's ability to enter, update, or access data in the system must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified by law.

(b) The commissioner must immediately and permanently revoke the authorization of any individual who willfully entered, updated, accessed, shared, or disseminated data in violation of state or federal law. If an individual willfully gained access to data without authorization by law, the commissioner must forward the matter to the appropriate prosecuting authority for prosecution.

(c) The commissioner must arrange for an independent biennial audit of the driver and vehicle services information system to determine whether data currently in the system are classified correctly, how the data are used, and to verify compliance with this subdivision. The results of the audit are public. No later than 30 days following completion of the audit, the commissioner must provide a report summarizing the audit results to the commissioner of administration; the chairs and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over transportation policy and finance, public safety, and data practices; and the Legislative Commission on Data Practices and Personal Data Privacy. The report must be submitted as required under section 3.195, except that printed copies are not required.

**EFFECTIVE DATE.** This section is effective on the date of implementation of the driver's license portion of the Minnesota licensing and registration system. The commissioner shall notify the revisor of statutes on the date of implementation.

Sec. 19. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 3c. **Record retention; birth certificates.** (a) If the procedures established by the commissioner for driver's license or Minnesota identification card records include retention of a physical copy or digital image of a birth certificate, the commissioner must:

(1) notify a driver's license or identification card applicant of the retention procedure; and

(2) allow the applicant, licensee, or identification cardholder to designate that the applicant, licensee, or identification cardholder's birth certificate physical copy or digital image must not be retained.

(b) The commissioner must not retain a birth certificate if directed by an applicant, licensee, or identification cardholder under paragraph (a), clause (2), but must record and retain data on the birth certificate required under Code of Federal Regulations, title 6, section 37.31(c).

Sec. 20. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) The commissioner is prohibited from, with respect to noncompliant licenses or identification cards:

(1) electronically disseminating outside the state data that is not disseminated as of the effective date of this act; or

(2) utilizing any electronic validation or verification system accessible from or maintained outside of the state that is not in use as of the effective date of this act.

(b) The limitations in paragraph (a) do not apply to the extent necessary to maintain compliance with the driver's license compact under section 171.50 and applicable federal law governing commercial drivers' licenses.

(c) For purposes of this subdivision, "outside the state" includes federal agencies, states other than Minnesota, organizations operating under agreement among the states, and private entities.

Sec. 21. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 7c. **Other data provisions.** (a) The commissioner must not share any data the department maintains under section 171.07, subdivision 13, with any federal agency, department, or entity for a use that would otherwise be permissible under United States Code, title 18, section 2721, or other law.

(b) Data collected by government entities pursuant to sections 624.712 to 624.719 are classified under section 13.87, subdivision 2.

Sec. 22. Minnesota Statutes 2016, section 171.27, is amended to read:

**171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

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

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

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

(d) Notwithstanding paragraphs (a) to (c), the expiration date for a license issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

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

### Sec. 23. REAL ID ACT IMPLEMENTATION.

Subdivision 1. **Definition.** For purposes of this section, "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

Subd. 2. **Implementation; deadline.** The commissioner of public safety must begin issuing drivers' licenses and Minnesota identification cards that fully comply with the REAL ID Act no later than October 1, 2018. The commissioner shall submit a notification of the specific full compliance implementation date to: the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance, public safety, and data practices; the revisor of statutes; and the Legislative Commission on Data Practices and Personal Data Privacy.

Subd. 3. **Mandatory reissuance prohibition.** When implementing the REAL ID Act requirements as provided in this act, the commissioner of public safety is prohibited from requiring renewal or reissuance of a driver's license or Minnesota identification card earlier than required under the regular issuance time period. Nothing in this subdivision prevents suspension, cancellation, or revocation as provided in Minnesota Statutes, chapter 171.

Subd. 4. **Optional early reissuance and expiration date extension.** (a) For purposes of this subdivision, "full compliance date" means the date when full compliance with the REAL ID Act is required and no extensions are in effect for federal acceptance of Minnesota-issued licenses and identification cards for official purposes, as most recently specified by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.

(b) For purposes of this subdivision, "eligible applicant" means an applicant for a REAL ID-compliant driver's license or identification card who:

(1) holds a valid Minnesota driver's license or Minnesota identification card that:

(i) was issued prior to the date Minnesota commenced issuing REAL ID-compliant licenses and Minnesota identification cards; and

(ii) either (A) has an expiration date that is after the full compliance date; or (B) does not have an expiration date as provided under Minnesota Statutes, section 171.07, subdivision 4;

(2) submits the license or identification card application no later than October 31, 2020; and

(3) is otherwise eligible to obtain the license or identification card under Minnesota Statutes, chapter 171.

(c) For the first instance of issuing a REAL ID-compliant driver's license to an eligible applicant, the expiration date as provided in Minnesota Statutes, section 171.27, paragraph (a), is extended by two years, notwithstanding the requirements of that section.

(d) For the first instance of issuing a REAL ID-compliant identification card to an eligible applicant, the expiration date as provided in Minnesota Statutes, section 171.07, subdivision 4, paragraph (a), is extended by two years, notwithstanding the requirements of that section.

(e) The expiration date extension under paragraphs (c) and (d) does not apply to:

(1) issuance of a new driver's license or Minnesota identification card;

(2) issuance or renewal of a noncompliant license or identification card, as defined in Minnesota Statutes, section 171.01, subdivision 41a;

(3) issuance or renewal of an enhanced driver's license or enhanced identification card;

(4) reinstatement of a canceled, suspended, or revoked license;

(5) a driver's license subject to Minnesota Statutes, section 171.27, paragraphs (b) to (d); and

(6) a Minnesota identification card subject to Minnesota Statutes, section 171.07, subdivision 4, paragraphs (b) to (e).

Sec. 24. **RULEMAKING.**

The commissioner of public safety may adopt rules and amend existing Minnesota Rules using the expedited rulemaking process in section 14.389 to implement the tiered license program required by this act to issue:

(1) drivers' licenses and Minnesota identification cards that are acceptable for federal identification under the REAL ID Act; and

(2) drivers' licenses and Minnesota identification cards that are not acceptable for federal identification, but comply with Code of Federal Regulations, title 6, section 37.71, state law, and applicable provisions of this act.

The grant of expedited rulemaking under this section expires on October 31, 2018, or upon publication of the notice of adoption in the State Register, whichever occurs earlier. Notwithstanding Minnesota Statutes, section 14.05, subdivision 1, rules adopted pursuant to this grant of rulemaking authority may continue to be enforced.

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

Sec. 25. **APPROPRIATION.**

\$3,270,000 in fiscal year 2019 is appropriated from the driver services operating account in the special revenue fund to the commissioner of public safety for implementation and conformity with the requirements of the REAL ID Act of 2005, Public Law 109-13, Division B, as provided under this act. This is a onetime appropriation.

Sec. 26. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall renumber Minnesota Statutes, section 171.06, subdivision 3, paragraphs (d) and (e), as Minnesota Statutes, section 171.06, subdivision 3b, paragraphs (d) and (e). The revisor shall also make any necessary cross-reference changes consistent with the renumbering.

Sec. 27. **REPEALER.**

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

Sec. 28. **EFFECTIVE DATE.**

Except as specifically provided otherwise, this act is effective the day following final enactment. Sections 1 to 23 apply for application and issuance of drivers' licenses and Minnesota identification cards on and after the full compliance implementation date under section 23, subdivision 2."

### CALL OF THE SENATE

Senator Latz imposed a call of the Senate for the balance of the proceedings on H.F. No. 3. The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Mason's Manual of Legislative Procedure, Sec. 401, par. 2, Senator Benson raised a point of order that the Dibble amendment to the amendment was not in order. The President ruled the point of order well taken, so the Dibble amendment to the amendment was not in order.

Senator Rest appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgement of the Senate?"

The roll was called, and there were yeas 33 and nays 33, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Mathews	Ruud
Anderson, B.	Fischbach	Jensen	Miller	Senjem
Anderson, P.	Gazelka	Johnson	Newman	Utke
Benson	Goggin	Kiffmeyer	Osmek	Weber
Chamberlain	Hall	Koran	Pratt	Westrom
Dahms	Housley	Lang	Relph	
Draheim	Ingebrigtsen	Limmer	Rosen	

Those who voted in the negative were:

Bakk	Cwodzinski	Franzen	Isaacson	Little
Carlson	Dibble	Frentz	Kent	Lourey
Champion	Dziedzic	Hawj	Klein	Marty
Clausen	Eaton	Hayden	Laine	Newton
Cohen	Eken	Hoffman	Latz	Pappas

Rest  
Schoen

Simonson  
Sparks

Tomassoni  
Torres Ray

Wiger  
Wiklund

So the decision of the President was sustained.

Senator Latz withdrew his amendment.

Senator Dibble moved to amend H.F. No. 3, the unofficial engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or Minnesota identification card issued under section 171.019, subdivision 2, paragraph (b).

Sec. 2. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 45b. **REAL ID Act.** "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

Sec. 3. Minnesota Statutes 2016, section 171.01, is amended by adding a subdivision to read:

Subd. 48b. **Temporary lawful status.** "Temporary lawful status" has the meaning given in Code of Federal Regulations, title 6, section 37.3.

Sec. 4. Minnesota Statutes 2016, section 171.017, is amended to read:

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

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

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

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

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

Subd. 2. **Procedure.** (a) The commissioner must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals specified in subdivision 1. A request under this section must be accompanied by an executed criminal history



consent form, including fingerprints, signed by the agent or the current or prospective employee being investigated.

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

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

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

(c) The superintendent shall recover the cost to the bureau of a bureau's background check cost for the person on whom the background check is performed through a fee charged to the commissioner or the driver's license agent who requested the background check.

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

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

#### Sec. 5. [171.019] REAL ID ACT CONFORMITY; LIMITATIONS.

**Subdivision 1. Definition.** For purposes of this section, "federal change" means a modification or addition to REAL ID Act requirements, made by the federal government after the effective date of this act, with respect to: legal requirements; processes; policies and procedures; or data collection, storage, and dissemination. Federal change includes but is not limited to a modification:

- (1) in what constitutes an official purpose under Code of Federal Regulations, title 6, part 37;
- (2) in the machine-readable technology standards for a license or Minnesota identification card;
- (3) in the information provided on the face of the license or Minnesota identification card;
- (4) that relates to dissemination of state-provided data to or among federal agencies, other states, organizations operating under agreement among the states, or private entities; or
- (5) that imposes an identifiable cost for the state of Minnesota.

Subd. 2. **License and Minnesota identification card options.** (a) The commissioner must meet the requirements of the REAL ID Act for licenses and identification cards, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

(b) The commissioner must establish a license and Minnesota identification card that does not meet all requirements of the REAL ID Act, including but not limited to section 171.12, subdivision 7b, as provided in this chapter.

(c) The commissioner must establish an enhanced driver's license or enhanced identification card as provided in this chapter.

Subd. 3. **Limitations.** Compliance under subdivision 2, paragraph (a), is limited to those requirements of the REAL ID Act and any rules or regulations promulgated pursuant to the REAL ID Act in effect as of the effective date of this act. The commissioner may not take any action to implement or meet the requirements of a federal change.

Subd. 4. **Legislative notification.** (a) Upon identification of an impending or completed federal change, the commissioner must notify the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance, public safety, and data practices, and the Legislative Commission on Data Practices and Personal Data Privacy. Notification must be submitted as required under section 3.195, except that printed copies are not required.

(b) Notification under this subdivision must include a review of the federal change, an initial analysis of data practices impacts, and any preliminary estimates of implementation costs, including the availability of additional federal funds.

Subd. 5. **Statutory construction.** (a) Unless specifically provided otherwise, a driver's license, instruction permit, or provisional license includes any noncompliant license. Unless specifically provided otherwise, a Minnesota identification card includes any noncompliant identification card.

(b) A noncompliant license does not include an enhanced driver's license, and a noncompliant identification card does not include an enhanced identification card.

Sec. 6. Minnesota Statutes 2016, section 171.04, is amended by adding a subdivision to read:

Subd. 5. **Temporary lawful admission.** The commissioner is prohibited from issuing a driver's license or Minnesota identification card to an applicant whose lawful temporary admission period, as demonstrated under section 171.06, subdivision 3, paragraph (b), expires within 30 days of the date of the application.

Sec. 7. Minnesota Statutes 2016, section 171.06, subdivision 1, is amended to read:

Subdivision 1. ~~Forms of Application format and requirements.~~ (a) Every application for a Minnesota identification card, ~~for including an enhanced identification card, or for a driver's license including for an instruction permit, for a provisional license, for a driver's license, or for and an enhanced driver's license,~~ must be made in a format approved by the department, ~~and.~~ Every application must be accompanied by payment of the proper fee. ~~All first-time applications and change-of-status applications must be signed in the presence of the person authorized to accept the~~

application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States or United States citizenship

(b) All applicants must sign the application and declare, under penalty of perjury, that the information and documentation presented in the application is true and correct. The application must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

Sec. 8. Minnesota Statutes 2016, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

<u>REAL ID Compliant Classified</u> Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
<u>Noncompliant Classified</u> Driver's License	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$36.25</u>
<u>REAL ID Compliant Classified</u> Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
<u>Noncompliant Classified</u> Under-21 D.L.	<u>D-\$17.25</u>	<u>C-\$21.25</u>	<u>B-\$28.25</u>	<u>A-\$16.25</u>
Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
Commercial Learner's Permit				\$2.50
Provisional License				\$8.25
Enhanced Provisional License				\$23.25
Duplicate <u>REAL ID Compliant</u> License or duplicate <u>REAL ID</u> <u>Compliant</u> identification card				\$6.75
Duplicate <u>Noncompliant</u> License or duplicate <u>noncompliant</u> identification card				<u>\$6.75</u>
Enhanced Duplicate License or enhanced duplicate identification card				\$21.75
<u>REAL ID Compliant</u> Minnesota identification card or <u>REAL ID Compliant</u> Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$11.25

<u>Noncompliant identification card or noncompliant Under-21 Minnesota identification card</u>	<u>\$11.25</u>
Enhanced Minnesota identification card	\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

Sec. 9. Minnesota Statutes 2016, section 171.06, subdivision 3, is amended to read:

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

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

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

(3) state:

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

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

~~(4) in the case of an application for an enhanced driver's license or enhanced identification card, present:~~

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

~~(ii) a photographic identity document;~~

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

~~(6) (4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and~~

~~(7) (5) contain a space spaces where the applicant may:~~

~~(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;~~

~~(ii) indicate a desire to make an anatomical gift under paragraph (d); and~~

~~(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c.~~

~~(b) Applications must be accompanied by satisfactory evidence demonstrating:~~

~~(1) identity, date of birth, and any legal name change if applicable; and~~

~~(2) for drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:~~

~~(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;~~

~~(ii) Social Security number, or related documentation as applicable; and~~

~~(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.~~

~~(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:~~

~~(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and~~

~~(2) a photographic identity document.~~

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

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

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

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

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

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

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

Sec. 10. Minnesota Statutes 2016, section 171.06, is amended by adding a subdivision to read:

**Subd. 3b. Information for applicants.** (a) The commissioner must develop summary information on identity document options and must ensure availability of the information for driver's license and Minnesota identification card applicants. Renewal notifications mailed to license and identification cardholders must include the Web site address required by paragraph (b), and the nearest physical address where an individual may obtain a copy of the summary.

(b) The summary information must, at a minimum, identify:

(1) each available type of driver's license and Minnesota identification card, including a noncompliant license or identification card, an enhanced driver's license, and an enhanced identification card;

(2) the official purposes of and limitations on use for each type of driver's license and Minnesota identification card;

(3) an overview of data shared outside the state, including through electronic validation or verification systems, as part of the application and issuance of each type;

(4) a statement notifying applicants that a driver's license or Minnesota identification card that meets the requirements of the REAL ID Act is not mandatory; and

(5) an Internet address linking to a department Web page containing more complete information.

(c) An applicant for a noncompliant license or identification card must sign an acknowledgment that the applicant understands the limitations on use of the license or card.

Sec. 11. **[171.0605] EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.**

Subdivision 1. **Scope and application.** This section applies only to drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act. Except as otherwise provided under this section, the requirements of Minnesota Rules, chapter 7410, or successor rules, apply.

Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

(1) a driver's license or identification card that:

(i) complies with all requirements of the REAL ID Act;

(ii) is not designated as temporary or limited term; and

(iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport booklet or passport card issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, DS-1350, or FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551;

(6) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

(7) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-56;

(8) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B;

(9) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States; or

(10) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11(c)(1)(x).

(b) A document under paragraph (a) must be legible and unaltered.

Subd. 3. **Evidence; lawful status.** Only a form of documentation identified under subdivision 2 or a document issued by a federal agency that demonstrates the applicant's lawful status are satisfactory evidence of an applicant's lawful status under section 171.06, subdivision 3, clause (2).

Subd. 4. **Evidence; Social Security number.** The following is satisfactory evidence of an applicant's Social Security number or related documentation under section 171.06, subdivision 3, paragraph (b):

(1) a Social Security card;

(2) if a Social Security card is not available:

(i) a federal Form W-2;

(ii) a federal Form SSA-1099 or other federal Form 1099 having the applicant's Social Security number; or

(iii) a computer-printed United States employment pay stub with the applicant's name, address, and Social Security number; or

(3) for an applicant who provides a passport under subdivision 2, paragraph (a), clause (9), documentation demonstrating nonwork authorized status.

Subd. 5. **Evidence; residence in Minnesota.** Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

(1) a home utility services bill issued no more than 90 days before the application, provided that the commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) a home utility services hook-up work order issued no more than 90 days before the application, provided that the commissioner must not accept a home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information issued no more than 90 days before the application, with account numbers redacted, including:



- (i) a bank account statement;
- (ii) a canceled check; or
- (iii) a credit card statement;
- (4) a United States high school identification card with a certified transcript from the school, if issued no more than 180 days before the application;
- (5) a Minnesota college or university identification card with a certified transcript from the college or university, if issued no more than 180 days before the application;
- (6) an employment pay stub issued no more than 90 days before the application that lists the employer's name, address, and telephone number;
- (7) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;
- (8) a statement from a housing with services building registered under chapter 144D, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 90 days before the application;
- (9) a life, health, automobile, homeowner's, or renter's insurance policy issued no more than 90 days before the application, provided that the commissioner must not accept a proof of insurance card;
- (10) a federal or state income tax return or statement for the most recent tax filing year;
- (11) a Minnesota property tax statement for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
- (12) a Minnesota vehicle certificate of title, if issued no more than 12 months before the application;
- (13) a filed property deed or title for current residence, if issued no more than 12 months before the application;
- (14) a Supplemental Security Income award statement issued no more than 12 months before the application;
- (15) mortgage documents for the applicant's principal residence;
- (16) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;
- (17) a valid driver's license, including an instruction permit, issued under this chapter;
- (18) a valid Minnesota identification card;
- (19) an unexpired Minnesota professional license;

(20) an unexpired Selective Service card; or

(21) military orders that are still in effect at the time of application.

(b) A document under paragraph (a) must include the applicant's name and an address in Minnesota.

Subd. 6. **Exceptions process.** (a) The commissioner may grant a variance from the requirements of this section as provided under Minnesota Rules, part 7410.0600, or successor rules, for evidence of:

(1) identity or date of birth under subdivision 2;

(2) lawful status under subdivision 3, only for demonstration of United States citizenship;

(3) Social Security number under subdivision 4; and

(4) residence in Minnesota under subdivision 5.

(b) The commissioner must not grant a variance for an applicant having a lawful temporary admission period.

Sec. 12. Minnesota Statutes 2016, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents and design.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear: (1) a distinguishing number assigned to the licensee; (2) the licensee's full name and date of birth; (3) either ~~(+)~~ (i) the licensee's residence address, or ~~(2)~~ (ii) the designated address under section 5B.05; (4) a description of the licensee in a manner as the commissioner deems necessary; and (5) the usual signature of the licensee; and (6) designations and markings as provided in this section. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

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

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

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

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

(e) Except for an enhanced driver's license or a noncompliant license, a license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant license must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion;  
and

(2) have a unique design or color indicator.

(g) A license issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A license must display the licensee's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

Sec. 13. Minnesota Statutes 2016, section 171.07, subdivision 3, is amended to read:

Subd. 3. **Identification card; content and design; fee.** (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state, or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either (+) (i) the licensee's residence address, or (-) (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; and (6) the usual signature of the applicant; and (7) designations and markings provided under this section.

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

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

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) Except for an enhanced identification card or a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant identification card must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator.

(g) A Minnesota identification card issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

~~(e)~~ (i) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

Sec. 14. Minnesota Statutes 2016, section 171.07, subdivision 4, is amended to read:

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

~~(b) A Minnesota identification card issued to~~ For an applicant age 65 or older shall be:

(1) the expiration date of a Minnesota identification card is the birthday of the applicant in the eighth year following the date of issuance of the card; or

(2) a noncompliant identification card is valid for the lifetime of the applicant, except that.

(c) For the purposes of this paragraph (b), "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

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

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

Sec. 15. Minnesota Statutes 2016, section 171.07, subdivision 9a, is amended to read:

Subd. 9a. **Security for enhanced driver's license and identification card features.** ~~An enhanced~~ (a) A driver's license or enhanced identification card must include reasonable security measures to: prevent forgery, alteration, reproduction, and counterfeiting; facilitate detection of fraud; prohibit

the ability to superimpose a photograph or electronically produced image; and to protect against unauthorized disclosure of personal information regarding residents of this state that is contained in the enhanced driver's license or enhanced identification card. The enhanced driver's license must include the best available anticounterfeit laminate technology.

~~The~~ (b) An enhanced driver's license or enhanced identification card may include radio frequency identification technology that is limited to a randomly assigned number, which must be encrypted if agreed to by the United States Department of Homeland Security and does not include biometric data or any information other than the citizenship status of the license holder or cardholder. The commissioner shall ensure that the radio frequency identification technology is secure from unauthorized data access. An applicant must sign an acknowledgment of understanding of the radio frequency identification technology and its use for the sole purpose of verifying United States citizenship before being issued an enhanced driver's license or an enhanced identification card.

Sec. 16. Minnesota Statutes 2016, section 171.071, subdivision 3, is amended to read:

Subd. 3. **Exception Limitations.** Subdivision 1 applies only to a noncompliant license or identification card. Subdivisions 1 and 2 do not apply to the commissioner's requirements pertaining to a photograph or electronically produced image on an enhanced driver's license or an enhanced identification card.

Sec. 17. Minnesota Statutes 2016, section 171.072, is amended to read:

#### **171.072 TRIBAL IDENTIFICATION CARD.**

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules, when an applicant applies for a noncompliant license or identification card.

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

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

(d) The requirements of this section do not apply to: (1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

Sec. 18. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a) The commissioner must establish written procedures to ensure that only individuals authorized by law may enter, update, or access not public data collected, created, or maintained by the driver and vehicle services information system. An authorized individual's ability to enter, update, or access data in the system must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified by law.

(b) The commissioner must immediately and permanently revoke the authorization of any individual who willfully entered, updated, accessed, shared, or disseminated data in violation of state or federal law. If an individual willfully gained access to data without authorization by law, the commissioner must forward the matter to the appropriate prosecuting authority for prosecution.

(c) The commissioner must arrange for an independent biennial audit of the driver and vehicle services information system to determine whether data currently in the system are classified correctly, how the data are used, and to verify compliance with this subdivision. The results of the audit are public. No later than 30 days following completion of the audit, the commissioner must provide a report summarizing the audit results to the commissioner of administration; the chairs and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over transportation policy and finance, public safety, and data practices; and the Legislative Commission on Data Practices and Personal Data Privacy. The report must be submitted as required under section 3.195, except that printed copies are not required.

**EFFECTIVE DATE.** This section is effective on the date of implementation of the driver's license portion of the Minnesota licensing and registration system. The commissioner shall notify the revisor of statutes on the date of implementation.

Sec. 19. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 3c. **Record retention; birth certificates.** (a) If the procedures established by the commissioner for driver's license or Minnesota identification card records include retention of a physical copy or digital image of a birth certificate, the commissioner must:

(1) notify a driver's license or identification card applicant of the retention procedure; and

(2) allow the applicant, licensee, or identification cardholder to designate that the applicant, licensee, or identification cardholder's birth certificate physical copy or digital image must not be retained.

(b) The commissioner must not retain a birth certificate if directed by an applicant, licensee, or identification cardholder under paragraph (a), clause (2), but must record and retain data on the birth certificate required under Code of Federal Regulations, title 6, section 37.31(c).

Sec. 20. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 7b. **Data privacy; noncompliant license or identification card.** (a) The commissioner is prohibited from, with respect to noncompliant licenses or identification cards:

(1) electronically disseminating outside the state data that is not disseminated as of the effective date of this act; or

(2) utilizing any electronic validation or verification system accessible from or maintained outside of the state that is not in use as of the effective date of this act.

(b) The limitations in paragraph (a) do not apply to the extent necessary to maintain compliance with the driver's license compact under section 171.50 and applicable federal law governing commercial drivers' licenses.

(c) For purposes of this subdivision, "outside the state" includes federal agencies, states other than Minnesota, organizations operating under agreement among the states, and private entities.

Sec. 21. Minnesota Statutes 2016, section 171.12, is amended by adding a subdivision to read:

Subd. 7c. **Other data provisions.** (a) The commissioner must not share any data the department maintains under section 171.07, subdivision 13, with any federal agency, department, or entity for a use that would otherwise be permissible under United States Code, title 18, section 2721, or other law.

(b) Data collected by government entities pursuant to sections 624.712 to 624.719 are classified under section 13.87, subdivision 2.

Sec. 22. Minnesota Statutes 2016, section 171.27, is amended to read:

**171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

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

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

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

(d) Notwithstanding paragraphs (a) to (c), the expiration date for a license issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

~~(d)~~ (e) Any valid Minnesota driver's license issued to a person then or subsequently serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any

branch or unit of the armed forces of the United States, or the person's spouse, shall continue in full force and effect without requirement for renewal until the date one year following the service member's separation or discharge from active military service, and until the license holder's birthday in the fourth full year following the person's most recent license renewal or, in the case of a provisional license, until the person's birthday in the third full year following the renewal.

Sec. 23. **REAL ID ACT IMPLEMENTATION.**

**Subdivision 1. Definition.** For purposes of this section, "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

**Subd. 2. Implementation; deadline.** The commissioner of public safety must begin issuing drivers' licenses and Minnesota identification cards that fully comply with the REAL ID Act no later than October 1, 2018. The commissioner shall submit a notification of the specific full compliance implementation date to: the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance, public safety, and data practices; the revisor of statutes; and the Legislative Commission on Data Practices and Personal Data Privacy.

**Subd. 3. Mandatory reissuance prohibition.** When implementing the REAL ID Act requirements as provided in this act, the commissioner of public safety is prohibited from requiring renewal or reissuance of a driver's license or Minnesota identification card earlier than required under the regular issuance time period. Nothing in this subdivision prevents suspension, cancellation, or revocation as provided in Minnesota Statutes, chapter 171.

**Subd. 4. Optional early reissuance and expiration date extension.** (a) For purposes of this subdivision, "full compliance date" means the date when full compliance with the REAL ID Act is required and no extensions are in effect for federal acceptance of Minnesota-issued licenses and identification cards for official purposes, as most recently specified by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.

(b) For purposes of this subdivision, "eligible applicant" means an applicant for a REAL ID-compliant driver's license or identification card who:

(1) holds a valid Minnesota driver's license or Minnesota identification card that:

(i) was issued prior to the date Minnesota commenced issuing REAL ID-compliant licenses and Minnesota identification cards; and

(ii) either (A) has an expiration date that is after the full compliance date; or (B) does not have an expiration date as provided under Minnesota Statutes, section 171.07, subdivision 4;

(2) submits the license or identification card application no later than October 31, 2020; and

(3) is otherwise eligible to obtain the license or identification card under Minnesota Statutes, chapter 171.

(c) For the first instance of issuing a REAL ID-compliant driver's license to an eligible applicant, the expiration date as provided in Minnesota Statutes, section 171.27, paragraph (a), is extended by two years, notwithstanding the requirements of that section.



(d) For the first instance of issuing a REAL ID-compliant identification card to an eligible applicant, the expiration date as provided in Minnesota Statutes, section 171.07, subdivision 4, paragraph (a), is extended by two years, notwithstanding the requirements of that section.

(e) The expiration date extension under paragraphs (c) and (d) does not apply to:

(1) issuance of a new driver's license or Minnesota identification card;

(2) issuance or renewal of a noncompliant license or identification card, as defined in Minnesota Statutes, section 171.01, subdivision 41a;

(3) issuance or renewal of an enhanced driver's license or enhanced identification card;

(4) reinstatement of a canceled, suspended, or revoked license;

(5) a driver's license subject to Minnesota Statutes, section 171.27, paragraphs (b) to (d); and

(6) a Minnesota identification card subject to Minnesota Statutes, section 171.07, subdivision 4, paragraphs (b) to (e).

Sec. 24. **RULEMAKING.**

The commissioner of public safety may adopt rules and amend existing Minnesota Rules using the expedited rulemaking process in section 14.389 to implement the tiered license program required by this act to issue:

(1) drivers' licenses and Minnesota identification cards that are acceptable for federal identification under the REAL ID Act; and

(2) drivers' licenses and Minnesota identification cards that are not acceptable for federal identification, but comply with Code of Federal Regulations, title 6, section 37.71, state law, and applicable provisions of this act.

The grant of expedited rulemaking under this section expires on October 31, 2018, or upon publication of the notice of adoption in the State Register, whichever occurs earlier. Notwithstanding Minnesota Statutes, section 14.05, subdivision 1, rules adopted pursuant to this grant of rulemaking authority may continue to be enforced.

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

Sec. 25. **APPROPRIATION.**

\$3,270,000 in fiscal year 2019 is appropriated from the driver services operating account in the special revenue fund to the commissioner of public safety for implementation and conformity with the requirements of the REAL ID Act of 2005, Public Law 109-13, Division B, as provided under this act. This is a onetime appropriation.

Sec. 26. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall renumber Minnesota Statutes, section 171.06, subdivision 3, paragraphs (d) and (e), as Minnesota Statutes, section 171.06, subdivision 3b, paragraphs (d) and (e). The revisor shall also make any necessary cross-reference changes consistent with the renumbering.

Sec. 27. **REPEALER.**

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

Sec. 28. **EFFECTIVE DATE.**

Except as specifically provided otherwise, this act is effective the day following final enactment. Sections 1 to 23 apply for application and issuance of drivers' licenses and Minnesota identification cards on and after the full compliance implementation date under section 23, subdivision 2."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 33, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Ruud
Anderson, B.	Fischbach	Jensen	Miller	Senjem
Anderson, P.	Gazelka	Johnson	Newman	Utke
Benson	Goggin	Kiffmeyer	Osmek	Weber
Chamberlain	Hall	Koran	Pratt	Westrom
Dahms	Housley	Lang	Relph	
Draheim	Ingebrigtsen	Limmer	Rosen	

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

H.F. No. 3 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Ingebrigtsen	Miller	Ruud
Anderson, P.	Fischbach	Jasinski	Nelson	Senjem
Benson	Gazelka	Jensen	Osmek	Utke
Chamberlain	Goggin	Johnson	Pratt	Weber
Dahms	Hall	Koran	Relph	Westrom
Draheim	Housley	Lang	Rosen	

Those who voted in the negative were:

Anderson, B.	Dziedzic	Isaacson	Lourey	Simonson
Bakk	Eaton	Kent	Marty	Sparks
Carlson	Eken	Kiffmeyer	Mathews	Tomassoni
Champion	Franzen	Klein	Newman	Torres Ray
Clausen	Frentz	Laine	Newton	Wiger
Cohen	Hawj	Latz	Pappas	Wiklund
Cwodzinski	Hayden	Limmer	Rest	
Dibble	Hoffman	Little	Schoen	

So the bill failed to pass.

#### **MEMBERS EXCUSED**

Senator Eaton was excused from the Session of today from 11:00 to 11:25 a.m. Senator Nelson was excused from the Session of today from 11:35 a.m. to 12:15 p.m.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 12:00 noon, Tuesday, March 7, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

