

TWENTY-SIXTH DAY

St. Paul, Minnesota, Monday, March 25, 2019

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, Pastor John Campbell.

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

The President declared a quorum present.

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

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 1743:** A bill for an act relating to education; modifying the calculation of days and hours of instruction for students affected by snow days during the 2018-2019 school year; requiring affected school districts to report to the commissioner.

There has been appointed as such committee on the part of the House:

Christensen, Youakim and Urdahl.

Senate File No. 1743 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 21, 2019

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 10, 679, 680, 892, and 1503.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 21, 2019

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 10:** A bill for an act relating to human rights; clarifying the definition of sexual harassment; amending Minnesota Statutes 2018, section 363A.03, subdivision 43.

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

**H.F. No. 679:** A bill for an act relating to human services; amending the effective date for children's residential treatment payment provisions; appropriating money; amending Laws 2017, First Special Session chapter 6, article 8, sections 71; 72.

Referred to the Committee on Finance.

**H.F. No. 680:** A bill for an act relating to game and fish; allowing use of leashed dogs to track big game under certain conditions; modifying use of artificial lights; providing criminal penalties; amending Minnesota Statutes 2018, sections 97A.321, subdivision 1; 97B.011; 97B.081, subdivision 3; 97B.205; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

**H.F. No. 892:** A bill for an act relating to health; modifying pharmacy licensure requirements; amending Minnesota Statutes 2018, section 151.19, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1351.

**H.F. No. 1503:** A bill for an act relating to health; adding tribal public health access to birth data; amending Minnesota Statutes 2018, section 144.225, subdivisions 2, 2a, 7.

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

### REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 2523, 2541, and 2504. The motion prevailed.

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

**S.F. No. 1004:** A bill for an act relating to transportation; making the license reinstatement diversion pilot program permanent; requiring a report; amending Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended; proposing coding for new law in Minnesota Statutes, chapter 171.

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

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

**S.F. No. 445:** A bill for an act relating to health; adding security screening systems to ionizing radiation-producing equipment; appropriating money; amending Minnesota Statutes 2018, section 144.121, subdivision 1a, by adding a subdivision.

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

Page 1, line 18, delete "100" and insert "720"

Page 2, line 22, delete "\$29,000" and insert "\$62,000" and delete "\$21,000" and insert "\$45,000"

Page 2, line 23, delete "rulemaking" and insert "security screening system licensing activities"

Page 2, line 24, after the period insert "The base for this appropriation is \$23,000 in fiscal year 2022 and \$23,000 in fiscal year 2023."

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

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

**S.F. No. 2523:** A bill for an act relating to state government; creating a statutory open appropriation for legislator salaries required by the Legislative Salary Council; amending Minnesota Statutes 2018, section 15A.0825, by adding a subdivision.

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

Page 1, lines 9 and 11, after "7" insert ", including employer contributions under the Federal Insurance Contributions Act and chapters 3A and 352D,"

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

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

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

**S.F. No. 2541:** A bill for an act relating to state government; modifying certain requirements related to public contracting; amending Minnesota Statutes 2018, section 16C.045; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Page 1, line 13, delete "initiate an investigation or" and insert "conduct an audit or gather and review facts as needed to determine whether a violation of rule or law or a breach of contract has occurred. Unless the commissioner is able to determine that no violation of rule or law or breach of contract has been committed, the commissioner must also"

Page 1, line 21, delete "of gaps in coverage" and insert "that the purchase is not subject to a cooperative purchasing agreement"

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

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

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

**S.F. No. 2504:** A resolution declaring September 7, 2019, as Great Lakes-St. Lawrence Appreciation Day in Minnesota, encouraging all Minnesotans to learn about the importance of the Great Lakes and St. Lawrence River to the economy and the environment of Minnesota, and urging recognition of this day across the region.

Reports the same back with the recommendation that the resolution do pass and be re-referred to the Committee on Rules and Administration.

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

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

**S.F. No. 1038:** A bill for an act relating to insurance; requiring coverage for certain breast cancer screening procedures; amending Minnesota Statutes 2018, section 62A.30, by adding a subdivision.

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

**S.F. No. 1351:** A bill for an act relating to health; modifying pharmacy licensure requirements; amending Minnesota Statutes 2018, section 151.19, subdivision 1.

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

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

**S.F. No. 1070:** A bill for an act relating to health; modifying medical cannabis requirements; appropriating money; amending Minnesota Statutes 2018, sections 152.23; 152.27, subdivision 4; 152.28, subdivision 1; 152.29, subdivisions 1, 3; 152.33, subdivision 1; 290.0132, by adding a subdivision; 290.0134, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 152.

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 2018, section 18K.02, subdivision 3, is amended to read:

Subd. 3. **Industrial hemp.** "Industrial hemp" means the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, including the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis. Industrial hemp is not marijuana as defined in section 152.01, subdivision 9.

Sec. 2. Minnesota Statutes 2018, section 18K.03, is amended to read:

**18K.03 AGRICULTURAL CROP; POSSESSION AUTHORIZED.**

Subdivision 1. **Industrial hemp.** Industrial hemp is an agricultural crop in this state. A person may possess, transport, process, sell, or buy industrial hemp that is grown pursuant to this chapter.

Subd. 2. **Sale to medical cannabis manufacturers.** A licensee under this chapter may sell hemp products derived from industrial hemp grown in this state to medical cannabis manufacturers as authorized under sections 152.22 to 152.37.

Sec. 3. Minnesota Statutes 2018, section 152.22, is amended by adding a subdivision to read:

Subd. 5a. **Hemp.** "Hemp" means industrial hemp as defined in section 18K.02, subdivision 3.

Sec. 4. Minnesota Statutes 2018, section 152.22, subdivision 6, is amended to read:

Subd. 6. **Medical cannabis.** (a) "Medical cannabis" means any species of the genus *cannabis* plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of:

- (1) liquid, including, but not limited to, oil;
- (2) pill;
- (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or
- (4) any other method, excluding smoking, approved by the commissioner.

(b) This definition includes any part of the genus cannabis plant prior to being processed into a form allowed under paragraph (a), that is possessed by a person while that person is engaged in employment duties necessary to carry out a requirement under sections 152.22 to 152.37 for a registered manufacturer or a laboratory under contract with a registered manufacturer. This definition also includes any hemp acquired by a manufacturer by a hemp grower licensed under chapter 18K as permitted under section 152.29, subdivision 1, paragraph (b).

Sec. 5. Minnesota Statutes 2018, section 152.22, subdivision 14, is amended to read:

Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a diagnosis of any of the following conditions:

- (1) cancer, if the underlying condition or treatment produces one or more of the following:
  - (i) severe or chronic pain;
  - (ii) nausea or severe vomiting; or
  - (iii) cachexia or severe wasting;
- (2) glaucoma;
- (3) human immunodeficiency virus or acquired immune deficiency syndrome;
- (4) Tourette's syndrome;
- (5) amyotrophic lateral sclerosis;
- (6) seizures, including those characteristic of epilepsy;
- (7) severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- (8) inflammatory bowel disease, including Crohn's disease;
- (9) terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:
  - (i) severe or chronic pain;
  - (ii) nausea or severe vomiting; or
  - (iii) cachexia or severe wasting; ~~or~~

- (10) intractable pain;
- (11) posttraumatic stress disorder;
- (12) autism spectrum disorders;
- (13) obstructive sleep apnea; or
- (14) any other medical condition or its treatment approved by the commissioner.

Sec. 6. Minnesota Statutes 2018, section 152.23, is amended to read:

**152.23 LIMITATIONS.**

(a) Nothing in sections 152.22 to 152.37 permits any person to engage in and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice;

(2) possessing or engaging in the use of medical cannabis:

(i) on a school bus or van, except as permitted under section 152.345;

(ii) on the grounds of any preschool ~~or primary~~, elementary, or secondary school, except as permitted under section 152.345;

(iii) in any correctional facility; or

(iv) on the grounds of any child care facility or home day care;

(3) vaporizing medical cannabis pursuant to section 152.22, subdivision 6:

(i) on any form of public transportation;

(ii) where the vapor would be inhaled by a nonpatient minor child; or

(iii) in any public place, including any indoor or outdoor area used by or open to the general public or a place of employment as defined under section 144.413, subdivision 1b; and

(4) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat, or working on transportation property, equipment, or facilities while under the influence of medical cannabis.

(b) Nothing in sections 152.22 to 152.37 require the medical assistance and MinnesotaCare programs to reimburse an enrollee or a provider for costs associated with the medical use of cannabis. Medical assistance and MinnesotaCare shall continue to provide coverage for all services related to treatment of an enrollee's qualifying medical condition if the service is covered under chapter 256B or 256L.

Sec. 7. Minnesota Statutes 2018, section 152.25, subdivision 4, is amended to read:

Subd. 4. **Reports.** (a) The commissioner shall provide regular updates to the task force on medical cannabis therapeutic research and to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services, public safety, judiciary, and civil law regarding: (1) any changes in federal law or regulatory restrictions regarding the use of medical cannabis and hemp; and (2) the market demand and supply in this state for hemp products that can be used for medicinal purposes.

(b) The commissioner may submit medical research based on the data collected under sections 152.22 to 152.37 to any federal agency with regulatory or enforcement authority over medical cannabis to demonstrate the effectiveness of medical cannabis for treating a qualifying medical condition.

Sec. 8. Minnesota Statutes 2018, section 152.27, subdivision 4, is amended to read:

Subd. 4. **Registered designated caregiver.** (a) The commissioner shall register a designated caregiver for a patient if the patient's health care practitioner has certified that the patient, in the health care practitioner's medical opinion, is developmentally or physically disabled and, as a result of that disability, the patient is unable to self-administer medication or acquire medical cannabis from a distribution facility and the caregiver has agreed, in writing, to be the patient's designated caregiver. As a condition of registration as a designated caregiver, the commissioner shall require the person to:

(1) be at least 21 years of age;

(2) agree to only possess any medical cannabis for purposes of assisting the patient; and

(3) agree that if the application is approved, the person will not be a registered designated caregiver for more than one patient, unless the patients reside in the same residence.

(b) The commissioner shall conduct a criminal background check on the designated caregiver prior to registration to ensure that the person does not have a conviction for a disqualifying felony offense. Any cost of the background check shall be paid by the person seeking registration as a designated caregiver.

(c) A school nurse or other appropriate school personnel as designated by a school district may be registered as a designated caregiver for a student who is a registered patient for the purpose of section 152.345.

Sec. 9. Minnesota Statutes 2018, section 152.28, subdivision 1, is amended to read:

Subdivision 1. **Health care practitioner duties.** (a) Prior to a patient's enrollment in the registry program, a health care practitioner shall:

(1) determine, in the health care practitioner's medical judgment, whether a patient suffers from a qualifying medical condition, and, if so determined, provide the patient with a certification of that diagnosis;

(2) determine whether a patient is developmentally or physically disabled and, as a result of that disability, the patient is unable to self-administer medication or acquire medical cannabis from



a distribution facility, and, if so determined, include that determination on the patient's certification of diagnosis;

(3) advise patients, registered designated caregivers, and parents or legal guardians who are acting as caregivers of the existence of any nonprofit patient support groups or organizations;

(4) provide explanatory information from the commissioner to patients with qualifying medical conditions, including disclosure to all patients about the experimental nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects of the proposed treatment; the application and other materials from the commissioner; and provide patients with the Tennessee warning as required by section 13.04, subdivision 2; and

(5) agree to continue treatment of the patient's qualifying medical condition and report medical findings to the commissioner.

(b) Upon notification from the commissioner of the patient's enrollment in the registry program, the health care practitioner shall:

(1) participate in the patient registry reporting system under the guidance and supervision of the commissioner;

(2) report health records of the patient throughout the ongoing treatment of the patient to the commissioner in a manner determined by the commissioner and in accordance with subdivision 2;

(3) determine, on a yearly basis, if the patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certification of that diagnosis; and

(4) otherwise comply with all requirements developed by the commissioner.

(c) A health care practitioner may conduct a patient assessment to issue a recertification as required under paragraph (b), clause (3), via telemedicine as defined under section 62A.671, subdivision 9.

~~(d)~~ (d) Nothing in this section requires a health care practitioner to participate in the registry program.

Sec. 10. Minnesota Statutes 2018, section 152.29, subdivision 1, is amended to read:

Subdivision 1. **Manufacturer; requirements.** (a) A manufacturer shall operate ~~four~~ eight distribution facilities, which may include the manufacturer's single location for cultivation, harvesting, manufacturing, packaging, and processing but is not required to include that location. ~~A manufacturer is required to begin distribution of medical cannabis from at least one distribution facility by July 1, 2015. All distribution facilities must be operational and begin distribution of medical cannabis by July 1, 2016. The distribution facilities shall be located~~ The commissioner shall designate the geographical service areas to be served by each manufacturer based on geographical need throughout the state to improve patient access. A manufacturer shall disclose the proposed locations for the distribution facilities to the commissioner during the registration process. A manufacturer shall not have more than two distribution facilities in each geographical service area assigned to the manufacturer by the commissioner. A manufacturer shall operate only one location where all

cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis shall be conducted. ~~Any~~ This location may be one of the manufacturer's distribution facility sites. The additional distribution facilities may dispense medical cannabis and medical cannabis products but may not contain any medical cannabis in a form other than those forms allowed under section 152.22, subdivision 6, and the manufacturer shall not conduct any cultivation, harvesting, manufacturing, packaging, or processing at ~~an additional~~ the other distribution facility ~~site~~ sites. Any distribution facility operated by the manufacturer is subject to all of the requirements applying to the manufacturer under sections 152.22 to 152.37, including, but not limited to, security and distribution requirements.

(b) A manufacturer may obtain hemp from a hemp grower licensed with the commissioner of agriculture under chapter 18K if the hemp was grown in this state. A manufacturer may use hemp for the purpose of making it available in a form allowable under section 152.22, subdivision 6. Any hemp acquired by a manufacturer under this paragraph is subject to the same quality control program, security and testing requirements, and any other requirement for medical cannabis under sections 152.22 to 152.37 and Minnesota Rules, chapter 4770.

~~(b)~~ (c) A medical cannabis manufacturer shall contract with a laboratory approved by the commissioner, subject to any additional requirements set by the commissioner, for purposes of testing medical cannabis manufactured or hemp acquired by the medical cannabis manufacturer as to content, contamination, and consistency to verify the medical cannabis meets the requirements of section 152.22, subdivision 6. The cost of laboratory testing shall be paid by the manufacturer.

~~(c)~~ (d) The operating documents of a manufacturer must include:

(1) procedures for the oversight of the manufacturer and procedures to ensure accurate record keeping; ~~and~~

(2) procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabis and hemp and unauthorized entrance into areas containing medical cannabis; ~~and hemp~~; and

(3) procedures for the delivery and transportation of hemp between hemp growers licensed under chapter 18K and manufacturers.

~~(d)~~ (e) A manufacturer shall implement security requirements, including requirements for the delivery and transportation of hemp, protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

~~(e)~~ (f) A manufacturer shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

~~(f)~~ (g) A manufacturer shall not permit any person to consume medical cannabis on the property of the manufacturer.

~~(g)~~ (h) A manufacturer is subject to reasonable inspection by the commissioner.

~~(h)~~ (i) For purposes of sections 152.22 to 152.37, a medical cannabis manufacturer is not subject to the Board of Pharmacy licensure or regulatory requirements under chapter 151.

~~(j)~~ (j) A medical cannabis manufacturer may not employ any person who is under 21 years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabis manufacturer must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the Bureau of Criminal Apprehension before an employee may begin working with the manufacturer. The bureau must conduct a Minnesota criminal history records check and the superintendent is authorized to exchange the fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history record information. The bureau shall return the results of the Minnesota and federal criminal history records checks to the commissioner.

~~(k)~~ (k) A manufacturer may not operate in any location, whether for distribution or cultivation, harvesting, manufacturing, packaging, or processing, within 1,000 feet of a public or private school existing before the date of the manufacturer's registration with the commissioner.

~~(l)~~ (l) A manufacturer shall comply with reasonable restrictions set by the commissioner relating to signage, marketing, display, and advertising of medical cannabis.

(m) Before a manufacturer acquires hemp, the manufacturer must verify that the person from whom the manufacturer is acquiring hemp has a valid license issued by the commissioner of agriculture under chapter 18K.

Sec. 11. Minnesota Statutes 2018, section 152.29, subdivision 2, is amended to read:

Subd. 2. **Manufacturer; production.** (a) A manufacturer of medical cannabis shall provide a reliable and ongoing supply of all medical cannabis and hemp needed for the registry program.

(b) All cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis or manufacturing, packaging, or processing of hemp must take place in an enclosed, locked facility at a physical address provided to the commissioner during the registration process.

(c) A manufacturer must process and prepare any medical cannabis or hemp plant material into a form allowable under section 152.22, subdivision 6, prior to distribution of any medical cannabis.

Sec. 12. Minnesota Statutes 2018, section 152.29, subdivision 3, is amended to read:

Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval for the distribution of medical cannabis to a patient.

(b) A manufacturer may dispense medical cannabis products, whether or not the products have been manufactured by the manufacturer, but is not required to dispense medical cannabis products.

(c) Prior to distribution of any medical cannabis, the manufacturer shall:

(1) verify that the manufacturer has received the registry verification from the commissioner for that individual patient;

(2) verify that the person requesting the distribution of medical cannabis is the patient, the patient's registered designated caregiver, or the patient's parent or legal guardian listed in the registry verification using the procedures described in section 152.11, subdivision 2d;

(3) assign a tracking number to any medical cannabis distributed from the manufacturer;

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner. For purposes of this clause, a consultation may be conducted remotely using a videoconference, so long as the employee providing the consultation is able to confirm the identity of the patient, the consultation occurs while the patient is at a distribution facility, and the consultation adheres to patient privacy requirements that apply to health care services delivered through telemedicine;

(5) properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child-resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:

(i) the patient's name and date of birth;

(ii) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;

(iii) the patient's registry identification number;

(iv) the chemical composition of the medical cannabis; and

(v) the dosage; and

(6) ensure that the medical cannabis distributed contains a maximum of a ~~30-day~~ 90-day supply of the dosage determined for that patient.

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility to carry identification showing that the person is an employee of the manufacturer.

Sec. 13. Minnesota Statutes 2018, section 152.29, subdivision 3a, is amended to read:

Subd. 3a. **Transportation of medical cannabis; staffing.** A medical cannabis manufacturer may staff a transport motor vehicle with only one employee if the medical cannabis manufacturer is transporting medical cannabis or hemp to either a certified laboratory for the purpose of testing or a facility for the purpose of disposal. If the medical cannabis manufacturer is transporting medical cannabis or hemp for any other purpose or destination, the transport motor vehicle must be staffed with a minimum of two employees as required by rules adopted by the commissioner.

Sec. 14. Minnesota Statutes 2018, section 152.31, is amended to read:

### **152.31 DATA PRACTICES.**

(a) Government data in patient files maintained by the commissioner and the health care practitioner, and data submitted to or by a medical cannabis manufacturer, are private data on individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in section

13.02, subdivision 9, but may be used for purposes of complying with chapter 13 and complying with a request from the legislative auditor or the state auditor in the performance of official duties. The provisions of section 13.05, subdivision 11, apply to a registration agreement entered between the commissioner and a medical cannabis manufacturer under section 152.25.

(b) Not public data maintained by the commissioner may not be used for any purpose not provided for in sections 152.22 to 152.37, and may not be combined or linked in any manner with any other list, dataset, or database.

(c) The commissioner may execute data sharing arrangements with the commissioner of agriculture to verify licensing information, inspection, and compliance related to hemp growers under chapter 18K.

Sec. 15. **[152.345] POSSESSION AND USE OF MEDICAL CANNABIS IN SCHOOLS.**

(a) A student shall not possess or self-administer medical cannabis on the grounds of a preschool, elementary, or secondary school; a school bus or van; or at a school-sponsored event, except as permitted under this section.

(b) A parent or legal guardian of a minor student who is enrolled as a patient in the registry program or a student's registered designated caregiver may possess and administer medical cannabis to the student on the grounds of a preschool, elementary, or secondary school in which the student is enrolled; on a school bus or van; or at a school-sponsored event. If the student is 18 years of age or older and enrolled as a patient in the registry program, the student may self-administer the medical cannabis under the supervision of a designated caregiver or designated school personnel on the grounds of a secondary school in which the student is enrolled, on a school bus or van, or at a school-sponsored event. A parent, legal guardian, designated caregiver, or student shall not administer medical cannabis in a manner that creates disruption to the educational environment or causes exposure to other students. The school may designate specific locations on school grounds where medical cannabis must be administered.

(c) After the parent, legal guardian, or designated caregiver administers the medical cannabis, the parent, legal guardian, or designated caregiver shall remove any remaining medical cannabis from the grounds of the preschool, elementary, or secondary school; the school bus or van; or a school-sponsored event, unless the school allows for the storage of the student's supply of medical cannabis in a locked secure location.

(d) Nothing in this section requires school staff or the school district's staff to administer medical cannabis to a student or to store or maintain a student's supply of medical cannabis.

(e) The school or school district may adopt policies regarding reasonable parameters for the administration and use of medical cannabis, but may not unreasonably limit a patient's access to or use of medical cannabis.

(f) This section does not apply to a school district if the school district loses federal funding as a result of implementing this section, and can reasonably demonstrate that it lost federal funding as a result of implementing this section.

Sec. 16. Minnesota Statutes 2018, section 152.36, subdivision 2, is amended to read:

Subd. 2. **Impact assessment.** The task force shall hold hearings to evaluate the impact of the use of medical cannabis, hemp, and Minnesota's activities involving medical cannabis and hemp, including; but not limited to:

- (1) program design and implementation;
- (2) the impact on the health care provider community;
- (3) patient experiences;
- (4) the impact on the incidence of substance abuse;
- (5) access to and quality of medical cannabis and hemp and medical cannabis products;
- (6) the impact on law enforcement and prosecutions;
- (7) public awareness and perception; and
- (8) any unintended consequences.

Sec. 17. **APPROPRIATION.**

\$1,759,000 in fiscal year 2020 and \$2,259,000 in fiscal year 2021 are appropriated from the state government special revenue fund to the commissioner of health for administration of the medical cannabis program under Minnesota Statutes, sections 152.22 to 152.37."

Delete the title and insert:

"A bill for an act relating to health; modifying medical cannabis requirements; allowing Minnesota hemp growers to sell Minnesota grown hemp to medical cannabis manufacturers; authorizing the administration of medical cannabis to registered patients who are students by parents or designated care givers; appropriating money; amending Minnesota Statutes 2018, sections 18K.02, subdivision 3; 18K.03; 152.22, subdivisions 6, 14, by adding a subdivision; 152.23; 152.25, subdivision 4; 152.27, subdivision 4; 152.28, subdivision 1; 152.29, subdivisions 1, 2, 3, 3a; 152.31; 152.36, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 152."

And when so amended the bill be re-referred to the Committee on E-12 Finance and Policy without recommendation. Amendments adopted. Report adopted.

**Senator Gazelka from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 751:** A bill for an act relating to health; establishing an opiate epidemic response; establishing an Opiate Epidemic Response Advisory Council; establishing an opiate epidemic response account; increasing the annual license fee for drug manufacturers and wholesale drug distributors; establishing an opiate product registration fee for certain opiate manufacturers; requiring a prescriber to access the prescription monitoring program before prescribing a controlled substance; limiting the quantity of opiates and narcotics that can be prescribed for acute pain at any one time; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 151.01, subdivision 27; 151.065, subdivisions 1, 3, by adding a subdivision; 151.252, subdivision 1; 151.37,

subdivision 12; 152.105, subdivision 2; 152.11, subdivisions 1, 2, 2d, 4; 152.126, subdivisions 6, 10; 214.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 151; 256.

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 1004, 445, and 1351 were read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senators Pratt, Housley, Draheim, Hall, and Benson introduced--**

**S.F. No. 2643:** A bill for an act relating to the Metropolitan Council; modifying governance of the Metropolitan Council; eliminating the Transportation Advisory Board; amending Minnesota Statutes 2018, sections 3.8841, subdivision 9; 15A.0815, subdivision 3; 473.123; 473.146, subdivisions 3, 4; repealing Laws 1994, chapter 628, article 1, section 8.

Referred to the Committee on Transportation Finance and Policy.

#### **Senators Anderson, B.; Relph; and Carlson introduced--**

**S.F. No. 2644:** A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

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

#### **Senators Isaacson; Weber; Anderson, B.; Eken; and Relph introduced--**

**S.F. No. 2645:** A resolution calling for an end to the cold genocide and forced organ harvesting from Falun Gong practitioners in China.

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

#### **Senators Marty, Lang, Limmer, Frentz, and Wiger introduced--**

**S.F. No. 2646:** A resolution calling for an end to the cold genocide and forced organ harvesting from Falun Gong practitioners in China.

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

**Senator Goggin introduced--**

**S.F. No. 2647:** A bill for an act relating to taxation; property; establishing property tax exemption for charitable farmland; amending Minnesota Statutes 2018, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Tomassoni introduced--**

**S.F. No. 2648:** A bill for an act relating to municipal utilities; allowing a utility modification without approval of voters under certain conditions; amending Minnesota Statutes 2018, section 412.321, by adding a subdivision.

Referred to the Committee on Local Government.

**Senators Frentz and Ingebrigtsen introduced--**

**S.F. No. 2649:** A bill for an act relating to crime; adding the manufacture of dimethyltryptamine as a controlled substance crime; amending Minnesota Statutes 2018, sections 152.021, subdivision 2a; 152.0275; 446A.083, subdivision 2.

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

**Senators Pratt; Anderson, P.; and Housley introduced--**

**S.F. No. 2650:** A bill for an act relating to education; providing for nonexclusionary pupil disciplinary policies and practices; requiring a report; amending Minnesota Statutes 2018, sections 121A.41, by adding a subdivision; 121A.42; 121A.45; 121A.46, subdivisions 2, 3, by adding subdivisions; 121A.47, subdivision 2; 121A.53, subdivision 1; 121A.55; 121A.61; 121A.67, by adding a subdivision.

Referred to the Committee on E-12 Finance and Policy.

**Senators Ingebrigtsen, Clausen, Utke, Wiklund, and Abeler introduced--**

**S.F. No. 2651:** A bill for an act relating to health occupations; establishing licensure requirements for speech-language pathology assistants; establishing licensure fees; amending Minnesota Statutes 2018, sections 148.512, subdivision 17a; 148.513, subdivisions 1, 2, by adding a subdivision; 148.515, subdivision 1; 148.516; 148.519, subdivision 1, by adding a subdivision; 148.5192, subdivision 1; 148.5193, subdivision 1, by adding a subdivision; 148.5194, subdivision 8, by adding a subdivision; 148.5195, subdivision 3; 148.5196, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 148.

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



**Senators Latz and Franzen introduced--**

**S.F. No. 2652:** A bill for an act relating to transportation; allowing state funds to be used for light rail operating and capital maintenance costs; amending Minnesota Statutes 2018, section 473.4051, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

**Senators Marty, Hawj, and Pappas introduced--**

**S.F. No. 2653:** A bill for an act relating to education finance; appropriating money for a grant to the city of St. Paul to create college savings accounts at birth; requiring a report.

Referred to the Committee on E-12 Finance and Policy.

**Senators Hayden, Hall, Dziedzic, Latz, and Franzen introduced--**

**S.F. No. 2654:** A bill for an act relating to crime; adjusting thresholds for certain marijuana offenses; providing for penalties; amending Minnesota Statutes 2018, section 152.025, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 152.

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

**Senator Pratt introduced--**

**S.F. No. 2655:** A bill for an act relating to education; modifying certain gifted and talented provisions; improving transitional outcomes; amending Minnesota Statutes 2018, section 120B.15.

Referred to the Committee on E-12 Finance and Policy.

**Senators Hawj, Abeler, Hoffman, Newton, and Pappas introduced--**

**S.F. No. 2656:** A bill for an act relating to human services; appropriating money for a grant to Face to Face Health and Counseling Service.

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

**Senators Eichorn and Utke introduced--**

**S.F. No. 2657:** A bill for an act relating to capital investment; appropriating money for a new water treatment plant in Bemidji; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Torres Ray introduced--**

**S.F. No. 2658:** A bill for an act relating to professional licensing; requiring licensed professional engineers to earn professional development hours dedicated to the impact of climate change; amending Minnesota Statutes 2018, section 326.107, subdivision 1.

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

**Senators Jensen and Draheim introduced--**

**S.F. No. 2659:** A bill for an act relating to employment; creating a two-tiered minimum wage for tipped employees; amending Minnesota Statutes 2018, section 177.24, subdivision 1; repealing Minnesota Statutes 2018, section 177.24, subdivision 2.

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

**Senators Howe and Isaacson introduced--**

**S.F. No. 2660:** A bill for an act relating to financial institutions; requiring certain insurance proceeds checks to be promptly countersigned; amending Minnesota Statutes 2018, section 58.13, subdivision 1.

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

**Senators Koran, Goggin, and Mathews introduced--**

**S.F. No. 2661:** A bill for an act relating to human services; repealing child care assistance program; repealing Minnesota Statutes 2018, sections 119B.011, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10a, 11, 12, 13, 13a, 14, 15, 16, 17, 18, 19, 19a, 19b, 20, 20a, 21, 22; 119B.02; 119B.025, subdivisions 1, 2, 3, 4; 119B.03, subdivisions 1, 2, 3, 4, 5, 6, 6a, 6b, 8, 9, 10; 119B.035; 119B.04; 119B.05, subdivisions 1, 4, 5; 119B.06, subdivisions 1, 2, 3; 119B.08, subdivisions 1, 2, 3; 119B.09, subdivisions 1, 3, 4, 4a, 5, 6, 7, 8, 9, 9a, 10, 11, 12, 13; 119B.095; 119B.097; 119B.10, subdivisions 1, 2, 3; 119B.105; 119B.11, subdivisions 1, 2a, 3, 4; 119B.12, subdivisions 1, 2; 119B.125; 119B.13, subdivisions 1, 1a, 3, 3a, 3b, 3c, 4, 5, 6, 7; 119B.14; 119B.15; 119B.16; Minnesota Rules, parts 3400.0010; 3400.0020, subparts 1, 4, 5, 8, 9a, 10a, 12, 17a, 18, 18a, 20, 24, 25, 26, 28, 29a, 31b, 32b, 33, 34a, 35, 37, 38, 38a, 38b, 39, 40, 40a, 44; 3400.0030; 3400.0035; 3400.0040, subparts 1, 3, 4, 5, 5a, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15a, 17, 18; 3400.0060, subparts 2, 4, 5, 6, 6a, 7, 8, 9, 10; 3400.0080, subparts 1, 1a, 1b, 8; 3400.0090, subparts 1, 2, 3, 4; 3400.0100, subparts 2a, 2b, 2c, 5; 3400.0110, subparts 1, 1a, 2, 2a, 3, 4a, 7, 8, 9, 10, 11; 3400.0120, subparts 1, 1a, 2, 2a, 3, 5; 3400.0130, subparts 1, 1a, 2, 3, 3a, 3b, 5, 5a, 7; 3400.0140, subparts 1, 2, 4, 5, 6, 7, 8, 9, 9a, 10, 14; 3400.0150; 3400.0170, subparts 1, 3, 4, 6a, 7, 8, 9, 10, 11; 3400.0180; 3400.0183, subparts 1, 2, 5; 3400.0185; 3400.0187, subparts 1, 2, 3, 4, 6; 3400.0200; 3400.0220; 3400.0230, subpart 3; 3400.0235, subparts 1, 2, 3, 4, 5, 6.

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

**Senators Weber and Dahms introduced--**

**S.F. No. 2662:** A bill for an act relating to taxation; income; providing a tax credit for certain employers; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Abeler and Hoffman introduced--**

**S.F. No. 2663:** A bill for an act relating to liquor; allowing limited self-distribution for commercial wineries; amending Minnesota Statutes 2018, section 340A.301, subdivision 9.

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

**Senators Hoffman and Abeler introduced--**

**S.F. No. 2664:** A bill for an act relating to energy; establishing a demonstration grant program to purchase electric school buses; appropriating money.

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

**Senator Isaacson introduced--**

**S.F. No. 2665:** A bill for an act relating to workforce development; mandating a biannual inventory of workforce development programs; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116L.

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

**Senators Draheim and Anderson, P. introduced--**

**S.F. No. 2666:** A bill for an act relating to state government; prohibiting Minnesota State Colleges and Universities from contracting to pay employees more than amounts specified in agreement with Department of Management and Budget; amending Minnesota Statutes 2018, section 179A.20, by adding a subdivision.

Referred to the Committee on Higher Education Finance and Policy.

**Senators Abeler and Benson introduced--**

**S.F. No. 2667:** A bill for an act relating to finance; appropriating money; repealing the health care access fund; amending Minnesota Statutes 2018, sections 43A.317, subdivision 8; 144.1501, subdivision 5; 256B.0755, subdivision 4; 295.58; 297I.05, subdivision 5; repealing Minnesota Statutes 2018, sections 16A.724; 62U.10, subdivisions 1, 4, 8; 295.52, subdivision 8; 295.581.

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

**Senators Little, Rest, Sparks, Tomassoni, and Bigham introduced--**

**S.F. No. 2668:** A bill for an act relating to taxation; individual income; increasing the standard deduction; amending Minnesota Statutes 2018, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

**Senators Dzedzic, Clausen, Rest, Little, and Sparks introduced--**

**S.F. No. 2669:** A bill for an act relating to taxation; property tax refunds; increasing the maximum refund for the homestead credit refund; amending Minnesota Statutes 2018, section 290A.04, subdivision 2.

Referred to the Committee on Taxes.

**Senators Dzedzic, Rest, Clausen, and Eken introduced--**

**S.F. No. 2670:** A bill for an act relating to taxation; individual income; modifying the student loan credit calculation; amending Minnesota Statutes 2018, section 290.0682, subdivisions 1, 2.

Referred to the Committee on Taxes.

**Senators Dzedzic, Dibble, and Rest introduced--**

**S.F. No. 2671:** A bill for an act relating to taxation; property tax refunds; establishing an automated system for certificates of rent paid; requiring reporting of rent data; providing for retention and classification of data; appropriating money; amending Minnesota Statutes 2018, section 290A.19; proposing coding for new law in Minnesota Statutes, chapter 290A.

Referred to the Committee on Taxes.

**Senator Newton introduced--**

**S.F. No. 2672:** A bill for an act relating to state lands; modifying prior appropriations; amending Laws 2016, chapter 189, article 3, section 6, as amended; Laws 2017, chapter 93, article 1, section 9.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Hawj and Dzedzic introduced--**

**S.F. No. 2673:** A bill for an act relating to public safety; establishing a grant to African American Youth Access and African Immigrant Family Outreach programs; appropriating money.

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

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

**S.F. No. 2674:** A bill for an act relating to environment; appropriating money for food reclamation.

Referred to the Committee on Environment and Natural Resources Finance.

**Senator Klein introduced--**

**S.F. No. 2675:** A bill for an act relating to capital investment; appropriating money for renovation of the Serbian Cultural Center in South St. Paul.

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

**Senators Howe, Newton, Rest, and Senjem introduced--**

**S.F. No. 2676:** A bill for an act relating to taxation; property; modifying certain deadlines; amending Minnesota Statutes 2018, sections 273.124, subdivisions 9, 13; 273.13, subdivision 34.

Referred to the Committee on Taxes.

**Senator Abeler introduced--**

**S.F. No. 2677:** A bill for an act relating to health and human services; authorizing additional funding for nursing home moratorium exception projects; amending Minnesota Statutes 2018, section 144A.073, by adding a subdivision.

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

**Senator Dibble introduced--**

**S.F. No. 2678:** A bill for an act relating to public safety; establishing criminal penalties for peace officers who have sexual relations with persons in custody; amending Minnesota Statutes 2018, sections 609.344, subdivision 1; 609.345, subdivision 1.

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

**Senator Dibble introduced--**

**S.F. No. 2679:** A bill for an act relating to civil actions; regulating defamation actions; providing for requests for corrections or clarifications; proposing coding for new law as Minnesota Statutes, chapter 553A.

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

**Senator Dibble introduced--**

**S.F. No. 2680:** A bill for an act relating to agriculture; appropriating money for the Forever Green Agriculture Initiative at the University of Minnesota.

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

**Senator Kent introduced--**

**S.F. No. 2681:** A bill for an act relating to education; requiring a report on the use of disaggregated data; amending Minnesota Statutes 2018, section 120B.31, subdivision 3a.

Referred to the Committee on E-12 Finance and Policy.

**Senators Hayden, Pappas, Isaacson, Pratt, and Senjem introduced--**

**S.F. No. 2682:** A bill for an act relating to human services; appropriating money for grants to Life House and The Link.

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

**MOTIONS AND RESOLUTIONS**

Senator Carlson moved that his name be stricken as a co-author to S.F. No. 998. The motion prevailed.

Senator Johnson moved that the name of Senator Eaton be added as a co-author to S.F. No. 1063. The motion prevailed.

Senator Housley moved that her name be stricken as a co-author to S.F. No. 1416. The motion prevailed.

Senator Rosen moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Draheim be shown as chief author to S.F. No. 1640. The motion prevailed.

Senator Isaacson moved that the name of Senator Wiger be added as a co-author to S.F. No. 1741. The motion prevailed.

Senator Howe moved that the name of Senator Koran be added as a co-author to S.F. No. 1764. The motion prevailed.

Senator Hoffman moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 1981. The motion prevailed.

Senator Goggin moved that his name be stricken as a co-author to S.F. No. 2230. The motion prevailed.

Senator Simonson moved that the names of Senators Hayden and Champion be added as co-authors to S.F. No. 2403. The motion prevailed.

Senator Franzen moved that the name of Senator Abeler be added as a co-author to S.F. No. 2575. The motion prevailed.

Senator Utke moved that the name of Senator Koran be added as a co-author to S.F. No. 2613. The motion prevailed.

Senator Koran moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 2618. The motion prevailed.

Senator Kent moved that the name of Senator Wiger be added as a co-author to S.F. No. 2628. The motion prevailed.

Senator Howe moved that S.F. No. 1452, No. 109 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

### SPECIAL ORDERS

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

S.F. No. 1618, and H.F. No. 50.

### SPECIAL ORDER

**S.F. No. 1618:** A bill for an act relating to transportation; designating a portion of marked Trunk Highway 25 as Captain Jeffrey Vollmer Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

S.F. No. 1618 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 50:** A bill for an act relating to transportation; prohibiting use of cell phones while driving under specified circumstances; requiring a study of traffic stops; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 169.011, subdivision 94; 169.475.

Senator Newman moved to amend H.F. No. 50, as amended pursuant to Rule 45, adopted by the Senate March 21, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 91.)

Page 2, line 11, before "is" insert "upon a street or highway"

The motion prevailed. So the amendment was adopted.

Senator Lang moved to amend H.F. No. 50, as amended pursuant to Rule 45, adopted by the Senate March 21, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 91.)

Page 1, line 12, strike the first "or"

Page 1, line 13, after "purposes" insert "or (3) a two-way radio, citizens band radio, or amateur radio equipment used in accordance with Federal Communications Commission rules and regulations"

Page 2, line 1, strike the comma and insert "two-way radio, citizens band radio, or amateur radio equipment used in accordance with Federal Communications Commission rules and regulations;"

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend H.F. No. 50, as amended pursuant to Rule 45, adopted by the Senate March 21, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 91.)

Page 2, line 26, delete "or operate"

Page 2, line 27, after "system" insert "that is affixed to the vehicle, provides that any data that must be manually entered by the operator is entered while the vehicle is not in motion or a part of traffic"

Page 2, line 28, after "content" insert "in a voice-activated or other hands-free mode"

Senator Newman moved to amend the Limmer amendment to H.F. No. 50 as follows:

Page 1, line 5, delete "that is affixed to the vehicle,"

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

Senator Limmer withdrew his amendment.

Senator Mathews moved to amend H.F. No. 50, as amended pursuant to Rule 45, adopted by the Senate March 21, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 91.)

Page 3, after line 1, insert:

"Subd. 4. **Driving record.** The Department of Public Safety must not include a conviction for a violation of this section on a person's driving record."

Senator Mathews moved to amend the Mathews amendment to H.F. No. 50 as follows:



Page 1, line 6, before "violation" insert "first"

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

Senator Tomassoni moved to amend the first Mathews amendment to H.F. No. 50 as follows:

Page 1, line 6, after "record" insert "which did not result in an accident"

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

Senator Mathews withdrew his first amendment.

Senator Champion moved to amend H.F. No. 50, as amended pursuant to Rule 45, adopted by the Senate March 21, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 91.)

Page 2, line 8, after the period, insert "The term includes the use of a scarf or hijab or other item of clothing to hold a device in a hands-free manner."

Senator Jasinski moved to amend the Champion amendment to H.F. No. 50 as follows:

Page 1, delete lines 4 and 5 and insert:

"Page 2, line 5, after "an" insert "electronic or mechanical"

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

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

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler	Cwodzinski	Hawj	Little	Tomassoni
Anderson, P.	Dibble	Hayden	Marty	Torres Ray
Bakk	Dziedzic	Hoffman	Newton	Westrom
Bigham	Eaton	Housley	Pappas	Wiger
Carlson	Eken	Isaacson	Rarick	Wiklund
Champion	Franzen	Kent	Rest	
Clausen	Frentz	Laine	Simonson	
Cohen	Hall	Latz	Sparks	

Those who voted in the negative were:

Anderson, B.	Gazelka	Johnson	Miller	Rosen
Benson	Goggin	Kiffmeyer	Nelson	Ruud
Chamberlain	Howe	Koran	Newman	Senjem
Dahms	Ingebrigtsen	Lang	Osmeck	Utke
Draheim	Jasinski	Limmer	Pratt	Weber
Eichorn	Jensen	Mathews	Relph	

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend H.F. No. 50, as amended pursuant to Rule 45, adopted by the Senate March 21, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 91.)

Page 2, line 21, after "\$300" insert "except that upon approval a distracted driving course as provided in section 171.20, a person who violates paragraph (a) a first time must pay a fine of \$25 or \$150 for a second violation if the person completes a distracted driving course as provided in section 171.20."

Page 3, after line 1, insert:

"Sec. 2. Minnesota Statutes 2018, section 171.0701, subdivision 1, is amended to read:

Subdivision 1. **Driver education requirements.** (a) The commissioner shall adopt rules requiring a minimum of 30 minutes of instruction, beginning January 1, 2007, relating to organ and tissue donations and the provisions of section 171.07, subdivision 5, for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools.

(b) The commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction, by January 1, 2009, a section on awareness and safe interaction with commercial motor vehicle traffic. The rules must require classroom instruction and behind-the-wheel training that includes, but is not limited to, truck stopping distances, proper distances for following trucks, identification of truck blind spots, and avoidance of driving in truck blind spots.

(c) By January 1, 2012, the commissioner shall adopt rules for persons enrolled in driver education programs offered at public schools, private schools, and commercial driver training schools, requiring inclusion in the course of instruction of a section on carbon monoxide poisoning. The instruction must include but is not limited to (1) a description of the characteristics of carbon monoxide, (2) a review of the risks and potential speed of death from carbon monoxide poisoning, and (3) specific suggestions regarding vehicle idling practices.

(d) By January 1, 2020, driver education programs offered at public schools, private schools, and commercial driver training schools must include instruction on distracted driving. The instruction must include but is not limited to:

(1) the laws governing distracted driving and the related penalties; and

(2) the dangers of distracted driving.

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

Sec. 3. Minnesota Statutes 2018, section 171.0705, is amended by adding a subdivision to read:

Subd. 11. **Distracted driving.** The commissioner must include in each edition of the driver's manual a section on distracted driving that includes:

(1) the laws governing distracted driving and the related penalties; and

(2) the dangers of distracted driving.

**EFFECTIVE DATE.** This section is effective January 1, 2020.

Sec. 4. Minnesota Statutes 2018, section 171.20, is amended by adding a subdivision to read:

Subd. 3a. **Distracted driving course.** The commissioner shall require a distracted driving course approved by the commissioner. The commissioner must approve one or more courses offered by a private vendor. The vendor must charge a reasonable fee for the course. The course must be at least one hour and include instruction on:

(1) the laws governing distracted driving and the related penalties; and

(2) the dangers of distracted driving.

**EFFECTIVE DATE.** This section is effective upon the earlier of either the commissioner of public safety identifying funds within existing appropriation for the purposes of this section or July 1, 2023."

Page 3, line 3, before "This" insert "Unless otherwise provided,"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 49, as follows:

Those who voted in the affirmative were:

Abeler	Hayden	Johnson	Mathews	Westrom
Anderson, B.	Hoffman	Kiffmeyer	Sparks	
Eichorn	Howe	Koran	Tomassoni	
Eken	Ingebrigtsen	Lang	Utke	

Those who voted in the negative were:

Anderson, P.	Dahms	Hawj	Marty	Rest
Bakk	Dibble	Housley	Miller	Rosen
Benson	Draheim	Isaacson	Nelson	Ruud
Bigham	Dziedzic	Jasinski	Newman	Senjem
Carlson	Eaton	Jensen	Newton	Simonson
Chamberlain	Franzen	Kent	Osmek	Torres Ray
Champion	Frentz	Laine	Pappas	Weber
Clausen	Gazelka	Latz	Pratt	Wiger
Cohen	Goggin	Limmer	Rarick	Wiklund
Cwodzinski	Hall	Little	Relph	

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

H.F. No. 50 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 56 and nays 10, as follows:

Those who voted in the affirmative were:

Abeler	Anderson, B.	Anderson, P.	Bakk	Bigham
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Carlson	Eichorn	Isaacson	Nelson	Senjem
Chamberlain	Eken	Jasinski	Newman	Simonson
Champion	Franzen	Jensen	Newton	Sparks
Clausen	Frentz	Kent	Osmek	Torres Ray
Cohen	Gazelka	Laine	Pappas	Weber
Cwodzinski	Goggin	Lang	Pratt	Wiger
Dahms	Hall	Latz	Rarick	Wiklund
Dibble	Hawj	Limmer	Relph	
Draheim	Hayden	Little	Rest	
Dziedzic	Hoffman	Marty	Rosen	
Eaton	Housley	Miller	Ruud	

Those who voted in the negative were:

Benson	Ingebrigtsen	Kiffmeyer	Mathews	Utke
Howe	Johnson	Koran	Tomassoni	Westrom

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

### MEMBERS EXCUSED

Senator Klein was excused from the Session of today. Senator Nelson was excused from the Session of today from 11:00 to 11:30 a.m. Senator Latz was excused from the Session of today from 11:00 to 11:35 a.m.

### ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 12:00 noon, Tuesday, March 26, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate