

STATE OF MINNESOTA

EIGHTY-NINTH SESSION — 2015

 THIRTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 26, 2015

The House of Representatives convened at 3:30 p.m. and was called to order by Greg Davids, Speaker pro tempore.

Prayer was offered by the Reverend Ryan Brodin, Abiding Savior Lutheran Church, Mounds View, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Albright	Dettmer	Hornstein	Loonan	O'Driscoll	Smith
Allen	Drazkowski	Hortman	Lucero	O'Neill	Sundin
Anderson, M.	Erhardt	Howe	Lueck	Pelowski	Swedzinski
Anderson, P.	Erickson	Isaacson	Mack	Peppin	Theis
Anderson, S.	Fabian	Johnson, B.	Mahoney	Persell	Thissen
Applebaum	Fenton	Johnson, C.	Marquart	Petersburg	Torkelson
Atkins	Fischer	Johnson, S.	Masin	Peterson	Uglen
Baker	Franson	Kahn	McDonald	Pierson	Urdahl
Barrett	Freiberg	Kelly	McNamara	Poppe	Vogel
Bennett	Garofalo	Kiel	Melin	Pugh	Wagenius
Bernardy	Green	Knoblach	Metsa	Quam	Ward
Bly	Gruenhagen	Koznick	Miller	Rarick	Whelan
Carlson	Gunther	Kresha	Moran	Rosenthal	Wills
Christensen	Halverson	Laine	Mullery	Runbeck	Winkler
Clark	Hamilton	Lenczewski	Murphy, E.	Sanders	Yarusso
Considine	Hancock	Lesch	Murphy, M.	Schoen	Youakim
Cornish	Hansen	Liebling	Nash	Schomacker	Zerwas
Daniels	Hausman	Lien	Nelson	Schultz	Spk. Daudt
Davids	Heintzeman	Lillie	Newberger	Scott	
Davnie	Hertaus	Loeffler	Newton	Selcer	
Dean, M.	Hilstrom	Lohmer	Nornes	Simonson	
Dehn, R.	Hoppe	Loon	Norton	Slocum	

A quorum was present.

Anzelc, Backer, Dill, Hackbarth and Pinto were excused.

Mariani was excused until 3:50 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 1563 and H. F. No. 1432, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Green moved that S. F. No. 1563 be substituted for H. F. No. 1432 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 26, 2015

The Honorable Kurt Daudt
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Daudt:

I respectfully request the opportunity to address a joint meeting of the Session of the 89th Minnesota State Legislature on Thursday, April 9, 2015, at 7:00 p.m. for the purpose of presenting my State of the State Message.

Thank you.

Sincerely,

MARK DAYTON
Governor

Peppin moved that an invitation be extended to the Governor to address a Joint Convention of the House of Representatives and the Senate to be held in the House Chamber at 7:00 p.m., Thursday, April 9, 2015; that the Chief Clerk be instructed to invite the Senate by message to meet in Joint Convention to convene at 6:45 p.m.; that the Governor be advised accordingly; and that the Speaker appoint a committee of five members of the House of Representatives to act with a similar committee to be appointed by the Senate to escort the Governor to the Joint Convention. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 177, A bill for an act relating to insurance; regulating self-service storage insurance agents; proposing coding for new law in Minnesota Statutes, chapter 60K.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[60K.60] SALE OF SELF-STORAGE INSURANCE.**

Subdivision 1. Definitions. (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Occupant" means a person or the person's sublessee, successor, or assignee who is entitled to the use of a leased space or spaces at a self-service storage facility, to the exclusion of others.

(c) "Owner" means the owner or the owner's managing agent of a self-service storage facility.

(d) "Personal property" means movable property that is not affixed to land and includes:

(1) goods, wares, merchandise, household items, and furnishings;

(2) vehicles, motor vehicles, trailers, and semitrailers; and

(3) watercraft and motorized watercraft.

(e) "Self-service storage facility" means any real property that is used for renting or leasing storage space in which the occupants themselves customarily store and remove personal property on a self-service basis.

Subd. 2. Requirements. (a) An owner or the owner's employees and agents may offer or sell the kinds of insurance described in this section in connection with and incidental to the rental of space at a self-service storage facility. An owner and the owner's employees and agents are exempt from sections 60K.30 to 60K.56, with respect to the sale of this insurance.

(b) An owner shall file a written notice in a form prescribed by the commissioner that the owner plans to conduct insurance sales as authorized by this section. The notice must specify all locations in this state at which the owner plans to conduct insurance sales. The owner shall notify the commissioner within 30 days after commencing insurance sales at any additional locations in this state.

(c) An owner may offer or sell insurance only in connection with and incidental to the rental of space at a self-service storage facility as an individual policy issued to an individual or as a group policy and only with respect to personal property insurance that provides coverage to occupants at the self-service storage facility at which the insurance is transacted, for the loss of or damage to stored personal property that occurs at that facility.

(d) An owner shall not offer or sell insurance under this section unless:

(1) the owner makes readily available to the prospective occupant brochures or other written materials that:

(i) summarize the material terms of insurance coverage offered to occupants, including the identity of the insurer, premium amount, benefits, exclusions, and conditions;

(ii) disclose that the policies offered by the owner may provide a duplication of coverage already provided by an occupant's homeowner's insurance policy, renter's insurance policy, vehicle insurance policy, watercraft insurance policy, or other source of property insurance coverage and that no liability coverage is provided by the insurance coverage. This disclosure must be displayed prominently in 12-point type or capital letters and shall read as follows:

[Your renters' or homeowners' policy may provide the insurance you need. Check with your insurance agent to determine if your personal property stored at a location other than your home or business is covered.];

(iii) state that if insurance is required as a condition of rental, the requirement may be satisfied by the occupant purchasing the insurance described in this section or by presenting evidence of other applicable insurance coverage; and

(iv) describe the process for filing a claim;

(2) all costs related to the insurance are stated in writing;

(3) evidence of coverage in a form approved by the insurer is provided to every occupant who purchases the coverage; and

(4) the insurance is provided by an insurer authorized to transact the applicable kinds of insurance in this state.

(e) An employee or agent of an owner may act on behalf of and under the supervision of the owner in matters relating to the sale of insurance under this section. The conduct of an employee or agent of an owner acting within the scope of employment or agency is deemed the conduct of the owner for purposes of this section.

(f) Each owner shall provide a training program that gives employees and agents of the owner basic instruction about the provisions of this section, including the kinds of insurance coverage described in this section.

(g) An owner shall not:

(1) offer or sell insurance except in connection with and incidental to the rental of space at a self-service storage facility; or

(2) advertise, represent, or otherwise portray itself or any of its employees or agents as licensed insurers or insurance producers.

(h) Nothing in this section prohibits:

(1) an insurer from paying and an owner from receiving a commission, service fee, or other valuable consideration dependent upon the sale of insurance; or

(2) an owner from paying and its employees or agents from receiving production payments or incentive payments if the payments are not dependent on the sale of insurance.

Subd. 3. **Fees for services.** (a) No person shall charge a fee for any services rendered in connection with the solicitation, negotiation, or servicing of any self-service storage insurance unless the requirements of paragraphs (b) and (c) are met.

(b) Before rendering the services, a written statement shall be provided to the prospective occupant disclosing:

(1) the services for which fees are charged;

(2) the amount of the fees;

(3) that the fees are charged in addition to premiums; and

(4) that premiums include a commission.

(c) The fees charged must be reasonable in relation to the services rendered.

EFFECTIVE DATE. This section is effective August 1, 2015, and applies to self-service storage insurance sold on or after that date."

Amend the title as follows:

Page 1, line 2, delete "self-service storage insurance agents" and insert "the sale of self-service storage insurance"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 236, A bill for an act relating to health; permitting the use of investigational drugs, biological products, or devices by certain eligible patients; amending Minnesota Statutes 2014, section 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 151.

Reported the same back with the following amendments:

Page 2, line 32, delete everything after "corrections"

Page 2, line 33, delete everything before the period

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 278, A bill for an act relating to health; creating a grant program for research on Alzheimer's disease and other dementias; creating a grant program for a public awareness campaign concerning Alzheimer's disease and other dementias; establishing the Alzheimer's Research Advisory Council; requiring reports; appropriating money; amending Minnesota Statutes 2014, section 256.975, subdivision 2, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Higher Education Policy and Finance.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 291, A bill for an act relating to public safety; providing a necessity defense in implied consent proceedings; amending Minnesota Statutes 2014, section 169A.53, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 34, delete everything after "necessity" and insert a period

Page 2, delete line 35

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 439, A bill for an act relating to health; requiring certain health care practitioners to deliver information relating to trisomy 13, 18, and 21; imposing duties on the commissioner of health; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 2, line 16, after "shall" insert "follow existing department practice to" and delete "be" and insert "is"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 507, A bill for an act relating to health; modifying the definition of residential hospice facility; amending Minnesota Statutes 2014, section 144A.75, subdivision 13.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 559, A bill for an act relating to human services; increasing the income medical assistance eligibility limit, the asset limits, and the excess income standard for the blind, disabled, and elderly; amending Minnesota Statutes 2014, section 256B.056, subdivisions 3, 4, 5c.

Reported the same back with the following amendments:

Page 1, line 13, after the period, insert "An additional \$10,000 in assets may be held in a separate account to be used by a person or a two-person household only for home maintenance and required repairs on a freestanding home that has been owned by the person or two-person household for more than five years and for which the person or two-person household is solely responsible for repairs to the home's roof and heating plant."

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 560, A bill for an act relating to human services; reducing premium payments for the medical assistance employed persons with disabilities program; amending Minnesota Statutes 2014, section 256B.057, subdivision 9.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 256B.057, subdivision 9, is amended to read:

Subd. 9. **Employed persons with disabilities.** (a) Medical assistance may be paid for a person who is employed and who:

(1) but for excess earnings or assets, meets the definition of disabled under the Supplemental Security Income program;

(2) meets the asset limits in paragraph (d); and

(3) pays a premium and other obligations under paragraph (e).

(b) For purposes of eligibility, there is a \$65 earned income disregard. To be eligible for medical assistance under this subdivision, a person must have more than \$65 of earned income. Earned income must have Medicare, Social Security, and applicable state and federal taxes withheld. The person must document earned income tax withholding. Any spousal income or assets shall be disregarded for purposes of eligibility and premium determinations.

(c) After the month of enrollment, a person enrolled in medical assistance under this subdivision who:

(1) is temporarily unable to work and without receipt of earned income due to a medical condition, as verified by a physician; or

(2) loses employment for reasons not attributable to the enrollee, and is without receipt of earned income may retain eligibility for up to four consecutive months after the month of job loss. To receive a four-month extension, enrollees must verify the medical condition or provide notification of job loss. All other eligibility requirements must be met and the enrollee must pay all calculated premium costs for continued eligibility.

(d) For purposes of determining eligibility under this subdivision, a person's assets must not exceed \$20,000, excluding:

- (1) all assets excluded under section 256B.056;
- (2) retirement accounts, including individual accounts, 401(k) plans, 403(b) plans, Keogh plans, and pension plans;
- (3) medical expense accounts set up through the person's employer; and
- (4) spousal assets, including spouse's share of jointly held assets.

(e) All enrollees must pay a premium to be eligible for medical assistance under this subdivision, except as provided under clause (5).

(1) An enrollee must pay the greater of a ~~\$65~~ \$35 premium or the premium calculated based on the person's gross earned and unearned income and the applicable family size using a sliding fee scale established by the commissioner, which begins at one percent of income at 100 percent of the federal poverty guidelines and increases to 7.5 percent of income for those with incomes at or above 300 percent of the federal poverty guidelines.

(2) Annual adjustments in the premium schedule based upon changes in the federal poverty guidelines shall be effective for premiums due in July of each year.

(3) All enrollees who receive unearned income must pay ~~five~~ one-half of one percent of unearned income in addition to the premium amount, except as provided under clause (5).

(4) Increases in benefits under title II of the Social Security Act shall not be counted as income for purposes of this subdivision until July 1 of each year.

(5) Effective July 1, 2009, American Indians are exempt from paying premiums as required by section 5006 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. For purposes of this clause, an American Indian is any person who meets the definition of Indian according to Code of Federal Regulations, title 42, section 447.50.

(f) A person's eligibility and premium shall be determined by the local county agency. Premiums must be paid to the commissioner. All premiums are dedicated to the commissioner.

(g) Any required premium shall be determined at application and redetermined at the enrollee's six-month income review or when a change in income or household size is reported. Enrollees must report any change in income or household size within ten days of when the change occurs. A decreased premium resulting from a reported change in income or household size shall be effective the first day of the next available billing month after the change is reported. Except for changes occurring from annual cost-of-living increases, a change resulting in an increased premium shall not affect the premium amount until the next six-month review.

(h) Premium payment is due upon notification from the commissioner of the premium amount required. Premiums may be paid in installments at the discretion of the commissioner.

(i) Nonpayment of the premium shall result in denial or termination of medical assistance unless the person demonstrates good cause for nonpayment. Good cause exists if the requirements specified in Minnesota Rules, part 9506.0040, subpart 7, items B to D, are met. Except when an installment agreement is accepted by the commissioner, all persons disenrolled for nonpayment of a premium must pay any past due premiums as well as current premiums due prior to being reenrolled. Nonpayment shall include payment with a returned, refused, or dishonored instrument. The commissioner may require a guaranteed form of payment as the only means to replace a returned, refused, or dishonored instrument.

(j) For enrollees whose income does not exceed 200 percent of the federal poverty guidelines and who are also enrolled in Medicare, the commissioner shall reimburse the enrollee for Medicare part B premiums under section 256B.0625, subdivision 15, paragraph (a)."

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 606, A bill for an act relating to health; requiring licensure of certain facilities that perform abortions; requiring a licensing fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 607, A bill for an act relating to health; limiting use of funds for state-sponsored health programs for funding abortions.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 631, A bill for an act relating to motor vehicles; providing for registration refunds; amending Minnesota Statutes 2014, section 168.017, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 654, A bill for an act relating to data practices; clarifying the protection of addresses in legal proceedings for certain victims of violence; amending Minnesota Statutes 2014, sections 5B.11; 13.03, subdivision 6.

Reported the same back with the following amendments:

Page 1, line 17, delete everything after "disclosed" and insert ". In determining whether to compel disclosure, the court must consider whether the potential harm to the safety of the participant is outweighed by the interest in disclosure. In a criminal proceeding, the court must order disclosure of a program participant's address if protecting the address would violate a defendant's constitutional right to confront a witness."

Page 1, delete line 18

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 658, A bill for an act relating to human services; modifying medical assistance spenddown procedures; amending Minnesota Statutes 2014, section 256B.056, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 1, after "spenddown" insert "eligible under section 256B.055, subdivisions 7, 7a, and 12"

Page 2, line 3, after "pay" insert "directly to the commissioner"

Page 2, line 4, delete "directly to the commissioner"

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 684, A bill for an act relating to taxation; tax increment financing; providing use for certain workforce housing; amending Minnesota Statutes 2014, sections 469.174, subdivision 12; 469.175, subdivision 3; 469.176, subdivision 4c; 469.1761, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 749, A bill for an act relating to economic development; creating an Office of Workforce Housing; creating a workforce housing grant program; creating tax credits for workforce housing; appropriating money for grants for workforce housing; requiring reports; amending Minnesota Statutes 2014, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[116J.549] WORKFORCE HOUSING FUND.**

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given in this subdivision.

(b) "City" means any statutory or home rule charter city.

(c) "Eligible project area" means a census block with a population density over 200 persons per square mile according to the most recent United States census data available that is within a greater Minnesota city having a median number of full-time private sector jobs of at least 500 for the last five years.

(d) "Family" means a family member within the meaning of the Internal Revenue Code, section 267(c)(4).

(e) "Fund" means the workforce housing fund created under subdivision 3.

(f) "Greater Minnesota" means the area of Minnesota located outside the metropolitan area as defined in section 473.121, subdivision 2.

(g) "Market rate residential rental properties" means properties that are rented at market value and excludes: (1) properties constructed with financial assistance requiring the property to be occupied by residents that meet income limits under federal or state law of initial occupancy; and (2) properties constructed with federal, state, or local flood recovery assistance, regardless of whether that assistance imposed income limits as a condition of receiving assistance.

(h) "Nonstate funding" means funding that is not part of a state-funded grant program, including any funds from the workforce housing fund created under this section.

(i) "Officer" means a person elected or appointed by the board of directors to manage the daily operations of a business.

(j) "Principal" means a person having authority to act on behalf of a business.

(k) "Qualified investment" means a cash investment or the fair market value equivalent for common stock, land, a partnership or membership interest, preferred stock, debt with mandatory conversion to equity, or an equivalent ownership interest as determined by the commissioner that is made in a qualified workforce housing project.

(l) "Qualified project investor" means an investor who has been certified by the commissioner under subdivision 5.

(m) "Qualifying workforce housing project" means a project:

(1) for market rate residential rental properties with a minimum of three dwelling units;

(2) with a cost per unit of no more than \$250,000 and no less than \$75,000;

(3) located in an eligible project area with a rental vacancy rate lower than five percent for more than two years based on the most recently available data in a city housing analysis;

(4) that has more than 50 percent nonstate funding proposed to fund the project;

(5) located in a city that has a jobs-to-population ratio of greater than 40 percent as measured by the median number of jobs in a city for the last five years compared with the median population of the city for the last five years; and

(6) that has been designated by the commissioner as a qualifying workforce housing project.

Subd. 2. **Purpose.** The commissioner of the Department of Employment and Economic Development shall:

(1) encourage, foster, develop, and improve workforce housing within the state in order to promote job creation and to provide a high quality workforce for Minnesota businesses by increasing the supply of workforce housing in greater Minnesota;

(2) administer the workforce housing fund for the state of Minnesota;

(3) coordinate with state, regional, local, and private entities to develop workforce housing;

(4) provide consultation services to local units of government or other project sponsors in connection with the financing, planning, acquisition, improvement, construction, or development of any workforce housing project;

(5) consult with the Housing Finance Agency and community housing organizations to organize workforce housing projects and programs;

(6) serve as an information clearinghouse for other programs that provide assistance and funding to developers or others seeking to build workforce housing;

(7) provide grants and certify investor tax credits for eligible projects in workforce housing;

(8) provide an annual report as required by subdivision 7;

(9) set and collect reasonable application fees for grant programs and tax credit applications available under this section; and

(10) perform any other activities consistent with achieving the goals in this section.

Subd. 3. **Workforce housing fund.** (a) The workforce housing fund is created to provide grants for the purpose of construction, acquisition, rehabilitation, demolition, removal, and development, including the cost of infrastructure and materials necessary for the creation and production of workforce housing in greater Minnesota.

(b) The fund shall consist of:

(1) state appropriations;

(2) investment earnings on money in the fund; and

(3) application fees paid pursuant to programs in this section.

(c) The commissioner may expend the money in the workforce housing fund to the extent necessary to carry out the objectives of this section, including the cost of personnel required to administer programs.

Subd. 4. **Grants; project eligibility and preferences.** (a) The commissioner shall award grants through a competitive grants program for the purposes defined in this section using the eligibility and preferences provided in this subdivision. If a project meets the qualifications in paragraph (b), the commissioner may certify the project as a

qualifying workforce housing project based on the eligibility of the program and the preference in paragraph (c). The total grant to a qualified workforce housing project must not exceed \$1,000,000. The total grants given to projects in a county cannot exceed 40 percent of total funding in the workforce housing fund. Eligible applicants for grants awarded under this section include an incorporated business or partnership, political subdivision, Indian tribe, nonprofit organization, cooperative association organized under chapter 308A or 308B, or a limited liability corporation.

(b) To be eligible for a grant, the project must:

(1) be for market rate residential rental properties with a minimum of three dwelling units;

(2) have an average cost per unit of no more than \$250,000 and no less than \$75,000;

(3) be located in an eligible project area with a rental vacancy rate lower than five percent for more than two years based on the most recently available data in a city housing analysis;

(4) have more than 50 percent nonstate funding proposed to fund the project;

(5) be located in a city that has a jobs-to-population ratio of greater than 40 percent as measured by the median number of jobs in a city for the last five years compared with the median population of the city for the last five years; and

(6) have been designated by the commissioner as a qualifying workforce housing project.

(c) Preferences for grants from the workforce housing fund must be given to projects:

(1) that have the largest total private investment in a project per total project cost;

(2) that can demonstrate that jobs near the workforce housing project are currently unfilled partly due to a lack of workforce housing, and that the workforce housing project would help a local employer fill those unfilled jobs; or

(3) that can demonstrate that there are a significant number of employees that currently live more than 30 miles from an employer, and that the workforce housing project targets those particular employees.

Subd. 5. Qualified project investor tax credits. (a) A taxpayer who makes a qualified investment in a qualified workforce housing project is allowed a tax credit for 50 percent of the amount of the qualified investment, up to \$1,000,000, to reduce the taxpayer's income or corporate franchise tax under chapter 290 in the year that the qualified workforce housing project has housing units that are certified for occupancy by the Department of Labor and Industry or a city inspector. The commissioner must not allocate more than \$30,000,000 in credits to qualified project investors for a taxable year. The commissioner cannot allocate more than 40 percent of qualified project investor tax credits to the same qualified workforce housing project.

(b) The commissioner shall not allocate a credit if the investor is an officer or principal of a business or sole proprietorship, or a family member of an officer or principal of a business or sole proprietorship, that is competing for a grant through the workforce housing fund in the year the tax credit would be awarded.

(c) Applications for tax credits for a taxable year must be made available by the commissioner by November 1 of the prior year. The commissioner must make every effort to provide applications and relevant data to applicants in a simple, concise manner using plain language. Tax credits must be allocated to qualified project investors in the order that the tax credit request applications are filed with the office, except where the commissioner determines the investment to be circumventing the spirit of the law or where little or no local economic growth would occur as a

result of the investment. The commissioner must approve or reject tax credit request applications within 15 days of receiving the application. The investment specified in the application must be made within 60 days of the allocation of the credit. If the investment is not made within 60 days, the credit allocation is canceled. A qualified project investor who fails to invest as specified in the application must notify the commissioner immediately and no later than five business days after the expiration of the 60-day investment period. The commissioner may require an application fee for the applications submitted under this subdivision.

(d) All tax credit request applications filed with the office on the same day must be treated as having been filed contemporaneously. If two or more qualified project investors file tax credit request applications on the same day, and the aggregate amount of credit allocation claims exceeds the aggregate limit of credits under this section or the lesser amount of credits that remain unallocated on that day, then the credits must be allocated among the qualified project investors who filed on that day on a pro rata basis with respect to the amounts claimed. The pro rata allocation for any one qualified project investor is the product obtained by multiplying a fraction, the numerator of which is the amount of the credit allocation claim filed on behalf of a qualified project investor and the denominator of which is the total of all credit allocation claims filed on behalf of all applicants on that day, by the amount of credits that remain unallocated on that day for the taxable year.

(e) The commissioner must notify the commissioner of revenue of credit certificates issued under this subdivision.

Subd. 6. Transfer and revocation of credits. (a) A tax credit under this section is not transferable to any other taxpayer.

(b) If the commissioner discovers that a qualified local investor or qualified project investor did not meet the eligibility requirements for the tax credits under this section after the credits have been allocated, the commissioner may determine that credit allocated is revoked and must be repaid by the investor. The commissioner must notify the commissioner of revenue of every credit revoked and subject to full or partial repayment under this section.

Subd. 7. Reporting. Beginning in 2016, the commissioner must annually report by March 15 to the chairs and ranking minority members of the legislative committees with jurisdiction over taxes and economic development in the senate and house of representatives, in compliance with sections 3.195 and 3.197, on tax credits issued under this section and the workforce housing projects funded by the workforce housing fund. The report must include:

- (1) information about the availability of workforce housing in greater Minnesota;
- (2) information from employers and communities in greater Minnesota about whether or not workforce housing needs are being met;
- (3) which projects have been funded by the workforce housing fund and whether previously funded projects have created economic growth;
- (4) a summary of agency activities to coordinate workforce housing for the state;
- (5) any suggested legislation to accelerate construction of workforce housing;
- (6) the number and amount of tax credits issued and the identity of the recipients;
- (7) the amount of investments made to the fund and whether or not those funds were for a preferred project;

(8) the number and amount of tax credits revoked under subdivision 6; and

(9) any other relevant information needed to evaluate the effect of the grants and tax credits available through the Department of Employment and Economic Development.

Subd. 8. **Appropriations.** Amounts in the workforce housing fund are appropriated to the commissioner of employment and economic development for costs associated with the administration of applications and for the personnel and administrative expenses related to administering the workforce housing grant program and investor tax credit programs.

EFFECTIVE DATE. The tax credits in this section are effective for taxable years beginning after December 31, 2014.

Sec. 2. Minnesota Statutes 2014, section 290.06, is amended by adding a subdivision to read:

Subd. 37. **Workforce housing tax credit.** (a) A taxpayer is allowed a credit against the tax under subdivision 1 or 2c equal to the amount certified by the commissioner of the Department of Employment and Economic Development under section 116J.549, to the taxpayer for the taxable year.

(b) Credits allowed to a partnership, limited liability company taxed as a partnership, corporation, or multiple owners of property are passed through to the partners, members, shareholders, or owners, respectively, pro rata to each partner, member, shareholder, or owner based on that person's share of the entity's income for the taxable year.

(c)(1) The credit is limited to the liability for tax. "Liability for tax" for purposes of this subdivision means the tax imposed under subdivision 1 or 2c, as applicable, for the taxable year reduced by the sum of the nonrefundable credits allowed under this chapter.

(2) For a corporation that is a partner in a partnership, the credit allowed for the taxable year is limited to the lesser of the amount determined under clause (1) for the taxable year or an amount, separately computed with respect to the corporation's interest in the trade, business, or entity, equal to the amount of tax attributable to that portion of taxable income that is allocable or apportionable to the corporation's interest in the trade, business, or entity.

(3) If the amount of the credit determined under this subdivision for any taxable year exceeds the limitation under clause (1), the excess is a credit carryover to each of the ten succeeding taxable years. The entire amount of the excess unused credit for the taxable year is carried first to the earliest of the taxable years to which the credit may be carried and then to each successive year to which the credit may be carried. The amount of the unused credit that may be added under this clause is limited to the taxpayer's liability for tax, less the credit for the taxable year.

EFFECTIVE DATE. The tax credits in this section are effective for taxable years beginning after December 31, 2014.

Sec. 3. **APPROPRIATION; OFFICE OF WORKFORCE HOUSING.**

\$20,000,000 in fiscal year 2016 and \$20,000,000 in fiscal year 2017 are appropriated from the general fund to the commissioner of employment and economic development for grants under Minnesota Statutes, section 116J.549, subdivision 4. Up to five percent of the appropriation in each year is available to the commissioner for the administration of Minnesota Statutes, section 116J.549."

Delete the title and insert:

"A bill for an act relating to economic development; creating a workforce housing grant program; creating tax credits for workforce housing; requiring reports; appropriating money; amending Minnesota Statutes 2014, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J."

With the recommendation that when so amended the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 805, A bill for an act relating to public safety; establishing a working group to study and make recommendations on establishing a Silver Alert system; requiring a report.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Anderson, P., from the Committee on Agriculture Policy to which was referred:

H. F. No. 812, A bill for an act relating to agriculture; providing an income tax credit for sales or rentals of agricultural assets to beginning farmers; providing an income tax credit for beginning farmer financial management programs; modifying the beginning farmer program administered by the Rural Finance Authority; amending Minnesota Statutes 2014, section 290.06, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reported the same back with the following amendments:

Page 1, delete lines 15 and 16

Reletter the paragraphs in sequence

Page 2, line 1, delete "two" and insert "ten"

Page 2, delete lines 12 and 13 and insert:

"(i) has a net worth that does not exceed the limit provided under section 41B.03, subdivision 3, paragraph (a), clause (2);"

Page 3, line 21, delete "or \$500, whichever is less"

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 815, A bill for an act relating to transportation; amending requirements of special agricultural products permits for motor vehicle weight limits; providing for hauling certain products for use as a biofuel; amending Minnesota Statutes 2014, section 169.865, subdivisions 1, 2, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 840, A bill for an act relating to elections; modifying various provisions related to elections administration, including provisions related to school boards, voters, ballots, registration, violations, absentee ballots, candidates, vacancies, recounts, filing fees, and precincts; modifying military and overseas absentee voting provisions; providing the Uniform Faithful Presidential Electors Act; making various technical changes; amending Minnesota Statutes 2014, sections 123B.09, subdivision 1; 200.02, subdivisions 7, 23, by adding subdivisions; 201.071, subdivision 1; 201.158; 201.275; 203B.01, subdivision 3; 203B.07, subdivision 1; 203B.08, subdivisions 1, 3; 203B.121, subdivision 2; 203B.16, subdivisions 1, 2; 203B.17, subdivisions 1, 2; 204B.06, subdivision 1b; 204B.07, subdivision 2; 204B.13, subdivisions 1, 2, 5; 204B.131, subdivision 1; 204B.19, subdivision 6; 204B.36, subdivisions 1, 2, 3, 4; 204B.44; 204B.45, subdivision 2; 204C.04, subdivision 2; 204C.08, subdivision 1d; 204C.13, subdivisions 2, 3, 5; 204C.22, subdivisions 3, 4, 7, 10; 204C.35, subdivisions 1, 2; 204C.36, subdivisions 1, 2; 204C.40, subdivision 2; 204D.11, subdivision 4; 204D.27, subdivision 11; 205.13, subdivision 3; 206.90, subdivision 6; 208.02; 208.03; 208.06; 209.01, subdivision 2; 209.021, subdivisions 2, 3; 209.09, subdivision 2; 365.22, subdivisions 2, 3; 367.31, subdivision 4; 368.85, subdivision 4; 376.04; 412.551, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 208; repealing Minnesota Statutes 2014, sections 204B.14, subdivision 6; 204C.13, subdivision 4; 204C.30, subdivision 1; 208.07; 208.08; 383A.555.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 898, A bill for an act relating to State Building Code; authorizing border cities to adopt changes to the code; amending Minnesota Statutes 2014, section 326B.121, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2014, section 326B.121, subdivision 1, is amended to read:

Subdivision 1. **Application.** (a) The State Building Code is the standard that applies statewide for the construction, reconstruction, alteration, repair, and use of buildings and other structures of the type governed by the code.

(b) The State Building Code supersedes the building code of any municipality except as provided for in subdivision 2, paragraph (h).

(c) The State Building Code does not apply to agricultural buildings except:

(1) with respect to state inspections required or rulemaking authorized by sections 103F.141; 216C.19, subdivision 9; and 326B.36; and

(2) translucent panels or other skylights without raised curbs shall be supported to have equivalent load-bearing capacity as the surrounding roof."

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 921, A bill for an act relating to taxation; providing for a long-term care savings plan; providing for an income tax subtraction for contributions made to the long-term care savings plan; amending Minnesota Statutes 2014, sections 290.01, subdivisions 19a, 19b; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, S., from the Committee on State Government Finance to which was referred:

H. F. No. 922, A bill for an act relating to local government; requiring local referenda related to spending to be conducted on the first Tuesday after the first Monday in November; amending Minnesota Statutes 2014, sections 123B.63, subdivision 3; 126C.17, subdivision 9; 205.10, subdivision 1; 205A.05, subdivision 1; 216B.46; 237.19; 275.60; 275.73; 412.221, subdivision 2; 412.301; 426.19, subdivision 2; 447.045; 452.11; 455.24; 455.29; 459.06, subdivision 1; 469.053, subdivision 5; 469.0724; 469.107, subdivision 2; 469.190, subdivisions 1, 5; 471.57, subdivision 3; 471.571, subdivision 3; 471.572, subdivisions 2, 4; 475.59; repealing Minnesota Statutes 2014, sections 126C.17, subdivision 11; 205.10, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 17, delete the comma and after "and" insert ", except as provided in paragraph (g)."

Page 2, after line 32, insert:

"(g) Notwithstanding paragraph (a), a referendum to levy the amount needed to finance a district's response to a disaster or emergency may be held on a date set by the board. "Disaster" means a situation that creates an actual or imminent serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property or the environment. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring."

Page 7, line 12, after the period, insert "This paragraph does not apply to an election on levying a tax or issuing debt obligations to finance the local government's response to a disaster or emergency. An election for these purposes may be held on a date set by the governing body. "Disaster" means a situation that creates an actual or imminent serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property or the environment. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring."

Page 7, delete section 8

Page 18, after line 16, insert:

"Subd. 4. **Exception for disaster or emergency.** Subdivisions 2 and 3, and any other law requiring an election to approve issuance of bonds or other debt obligations to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year, do not apply to issuance of bonds or other debt obligations to finance the municipality's response to an emergency or disaster. "Disaster" means a situation that creates an actual or imminent serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property or the environment. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring."

Page 18, line 22, delete "held" and insert "authorized on or"

Reorder the sections in sequence and correct the internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Education Finance.

The report was adopted.

Schomacker from the Committee on Aging and Long-Term Care Policy to which was referred:

H. F. No. 970, A bill for an act relating to health; establishing a grant program to encourage advanced care planning; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Reform.

The report was adopted.

Schomacker from the Committee on Aging and Long-Term Care Policy to which was referred:

H. F. No. 971, A bill for an act relating to health; awarding a grant to a statewide advance care planning resource organization; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 980, A bill for an act relating to human services; modifying licensing requirements for foster care providers; modifying home and community-based services standards; modifying the disability waiver rate system; amending Minnesota Statutes 2014, sections 245A.155, subdivisions 1, 2; 245A.65, subdivision 2; 245D.02, by adding a subdivision; 245D.05, subdivisions 1, 2; 245D.06, subdivisions 1, 2, 7; 245D.07, subdivision 2; 245D.071, subdivision 5; 245D.09, subdivisions 3, 5; 245D.22, subdivision 4; 245D.31, subdivisions 3, 4, 5; 256B.4914, subdivision 6.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Scott from the Committee on Civil Law and Data Practices to which was referred:

H. F. No. 1003, A bill for an act relating to local government; permitting local governments to donate certain surplus equipment to nonprofit organizations; creating an exception to tort liability; amending Minnesota Statutes 2014, section 466.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 471.

Reported the same back with the following amendments:

Page 1, line 20, delete everything after "means"

Page 1, line 21, delete everything before "equipment"

Page 2, line 4, after the period, insert "The policy must address the obligations of the local government to disclose to the nonprofit that the surplus equipment may be defective and cannot be relied upon for safety purposes."

With the recommendation that when so amended the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1056, A bill for an act relating to public safety; establishing a grant program to assist local law enforcement agencies to develop or expand lifesaver programs that locate lost or wandering persons who are mentally impaired; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299C.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1061, A bill for an act relating to safe harbor for sexually exploited youth; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, before the period, insert "for sexually exploited youth and youth at risk of sexual exploitation"

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1063, A bill for an act relating to mental health; providing for training and outreach regarding mental health peer specialists; establishing medical assistance coverage for clubhouse program services; requiring a report; appropriating money for intensive community rehabilitation services, suicide prevention, intensive treatment for adolescents and young adults, and housing for individuals with mental illness; amending Minnesota Statutes 2014, sections 256B.0615, by adding a subdivision; 256B.0625, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 31, delete "health" and insert "human services"

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1100, A bill for an act relating to health; prohibiting the use of certain flame-retardant chemicals in certain products; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Page 1, after line 16, insert:

"(d) "Residential textile" means a textile used for use in the home or places of lodging as a covering on windows, walls, or floors. Residential textile includes carpeting and carpet padding."

Page 1, line 17, delete "(d)" and insert "(e)"

Page 1, line 22, before "or" insert "residential textile," and delete "100" and insert "1,000"

Page 2, line 15, after the second comma, insert "residential textile,"

Page 2, line 16, delete "100" and insert "1,000"

With the recommendation that when so amended the bill be re-referred to the Committee on Commerce and Regulatory Reform.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1148, A bill for an act relating to human services; appropriating money to implement Olmstead Plan training.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1152, A bill for an act relating to health; establishing a work group to review and make recommendations on vaccinating and screening home care employees; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 1164, A bill for an act relating to transportation; modifying requirements for commercial motor vehicle road test for school bus endorsement; modifying provisions relating to third-party testing for school bus companies; amending Minnesota Statutes 2014, section 171.01, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 171.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1170, A bill for an act relating to education; postsecondary; providing a teacher shortage loan forgiveness program; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Education Finance.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1257, A bill for an act relating to state government; changing provisions in the responsible contractor law; amending Minnesota Statutes 2014, section 16C.285, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision.

Reported the same back with the following amendments:

Page 5, line 15, after the stricken "sworn" insert "signed"

Page 5, line 16, after "statement" insert "under oath"

Page 5, line 31, delete everything after the period

Page 5, delete line 32

Page 7, after line 7, insert:

"Sec. 8. Minnesota Statutes 2014, section 16C.285, subdivision 7, is amended to read:

Subd. 7. **Implementation.** The definition of responsible contractor, as defined in subdivision 3, or a statement that the term responsible contractor as used in the solicitation document means a contractor as defined in subdivision 3, shall be included in the solicitation document for all projects covered by this section. The solicitation document for any project shall state that any prime contractor or subcontractor or motor carrier that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project. The solicitation document shall provide that a false statement under oath verifying compliance with any of the minimum criteria shall render the prime contractor or subcontractor or motor carrier that makes the false statement ineligible to be awarded a construction contract on the project and may result in termination of a contract awarded to a prime contractor or subcontractor or motor carrier that submits a false statement. The solicitation document shall state that a prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier and motor carriers, pursuant to subdivision 3, clause (7)."

Page 7, line 9, delete "7" and insert "8"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1268, A bill for an act relating to insurance; permitting individuals to contract with an insurance producer to advocate on the individual's behalf with respect to health coverage with an insurance company; regulating payment of commissions by issuers of qualified health plans; amending Minnesota Statutes 2014, sections 60K.31, by adding subdivisions; 60K.48, by adding a subdivision; 60K.49, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62V.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 60K.31, is amended by adding a subdivision to read:

Subd. 1a. **Agent of record.** "Agent of record" means an insurance producer, as defined in subdivision 6, who enters into an agreement with:

(1) a policyholder who has individual health insurance coverage from an insurance company that the producer represents; or

(2) an applicant for individual health insurance coverage from an insurance company the producer represents.

Sec. 2. Minnesota Statutes 2014, section 60K.31, is amended by adding a subdivision to read:

Subd. 1b. **Agent of record agreement.** "Agent of record agreement" means an agreement documenting the agreement referenced in subdivision 1a, and that is signed by the agent of record and either a policyholder or applicant for individual health insurance coverage.

Sec. 3. Minnesota Statutes 2014, section 60K.48, is amended by adding a subdivision to read:

Subd. 4. **Qualified health plans.** (a) If a health carrier pays commissions or service fees to licensed producers who are appointed by the health carrier for sale of a qualified health plan, then, within 30 days of receipt of the agent of record agreement, the health carrier must accommodate a policyholder or applicant for coverage by allowing a policyholder or applicant to select or change the agent of record.

(b) The health carrier's standard commission and service fees must be paid to the policyholder's agent of record or the agent's assignee if any premium rate for a qualified health plan has been approved by the commissioner with costs associated with producer commissions included in the filed rate.

(c) A health carrier is prohibited from offering, renewing, or failing to renew qualified health plans based solely on the commission-paying status of the health plan.

(d) Nothing in this subdivision requires a health carrier to pay any commission or service fee with respect to the sale of a qualified health plan, unless the rate for the qualified health plan has been approved by the commissioner with costs associated with producer commissions included in the filed rate.

Sec. 4. **[62V.051] MNSURE; CONSUMER RETROACTIVE APPOINTMENT OF A NAVIGATOR OR PRODUCER PERMITTED.**

Notwithstanding any other law or rule to the contrary, for up to 18 months after the effective date of the qualified health plan, MNSure must permit a consumer, who has not yet designated a navigator or an insurance producer, to retroactively appoint a navigator or insurance producer.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment."

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 1314, A bill for an act relating to human services; permitting faculty members and resident dentists to enroll as medical assistance providers; amending Minnesota Statutes 2014, sections 150A.06, subdivision 1b; 256B.0625, by adding a subdivision.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

McNamara from the Committee on Environment and Natural Resources Policy and Finance to which was referred:

H. F. No. 1410, A bill for an act relating to taxation; Sustainable Forest Incentive Act; transferring powers from the commissioner of revenue to the commissioner of natural resources; providing rules for transfer of ownership; providing additional eligibility, certification, and notification requirements; making clarifying changes; repealing obsolete provisions; amending Minnesota Statutes 2014, sections 290C.01; 290C.02, subdivisions 1, 2, 3, 4, 7; 290C.03; 290C.05; 290C.08; 290C.09; 290C.10; 290C.11; proposing coding for new law in Minnesota Statutes, chapter 290C; repealing Minnesota Statutes 2014, sections 290C.02, subdivisions 5, 9; 290C.06.

Reported the same back with the following amendments:

Page 1, line 21, delete the second "and" and insert a comma and after "ecological" insert ", and recreational"

Page 6, delete section 11 and insert:

"Sec. 11. Minnesota Statutes 2014, section 290C.10, is amended to read:

290C.10 WITHDRAWAL PROCEDURES.

(a) An approved claimant or current owner of lands enrolled under the sustainable forest incentive program for a minimum of four years may notify the commissioner of the intent to terminate enrollment. Within 90 days of receipt of notice to terminate enrollment, the commissioner shall inform the claimant in writing, acknowledging receipt of this notice and indicating the effective date of termination from the sustainable forest incentive program. Termination of enrollment in the sustainable forest incentive program occurs on January 1 of the fifth calendar year that begins after receipt by the commissioner of the termination notice. After the commissioner issues an effective date of termination, a claimant wishing to continue the land's enrollment in the sustainable forest incentive program beyond the termination date must apply for enrollment as prescribed in section 290C.04. A claimant who withdraws a parcel of land from this program may not reenroll the parcel for a period of three years. Within 90 days after the termination date, the commissioner shall execute and acknowledge a document releasing the land from the covenant required under this chapter. The document must be mailed to the claimant and is entitled to be recorded.

(b) Notwithstanding paragraph (a), the commissioner may allow early withdrawal from the Sustainable Forest Incentive Act without penalty when the state of Minnesota, any local government unit, or any other entity which has the power of eminent domain acquires title or possession to the land for a public purpose ~~notwithstanding the provisions of this section.~~ In the case of ~~such an eligible~~ acquisition under this paragraph, the commissioner shall execute and acknowledge a document releasing the land acquired by the state, local government unit, or other entity from the covenant.

(c) Notwithstanding paragraph (a), the commissioner shall allow early withdrawal from the Sustainable Forest Incentive Act without penalty when the state acquires a permanent conservation easement on the enrolled property and the conservation easement is at least as restrictive as the covenant required under section 290C.04. In the case of an eligible easement acquisition under this paragraph, the commissioner shall execute and acknowledge a document releasing the land subject to the easement from the covenant.

(d) Notwithstanding paragraph (a), the commissioner shall allow early withdrawal from the Sustainable Forest Incentive Act without penalty for land that is subject to fee or easement acquisition or lease to the state of Minnesota or a political subdivision of the state for the public purpose of a paved trail. In the case of an eligible fee or easement acquisition or lease under this paragraph, the commissioner shall execute and acknowledge a document releasing the land subject to fee or easement acquisition or lease by the state or political subdivision of the state.

(e) All other enrolled land must remain in the program.

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

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1427, A bill for an act relating to local government; changing the meeting requirement for the District 1 Hospital Board; amending Laws 1963, chapter 118, section 4, as amended.

Reported the same back with the following amendments:

Page 1, after line 24, insert:

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

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1443, A bill for an act relating to human services; simplifying the treatment of income for public assistance programs; simplifying requirements for reporting income and changes and for correcting overpayments and underpayments; amending Minnesota Statutes 2014, sections 119B.011, subdivision 15; 119B.025, subdivision 1; 119B.035, subdivision 4; 119B.09, subdivision 4; 256D.01, subdivision 1a; 256D.02, subdivision 8, by adding a subdivision; 256D.06, subdivision 1; 256D.405, subdivision 3; 256I.03, subdivision 7, by adding a subdivision; 256I.04, subdivision 1; 256I.06, subdivision 6; 256J.08, subdivisions 26, 86; 256J.30, subdivisions 1, 9; 256J.35; 256J.40; 256J.95, subdivision 19; 256P.001; 256P.01, subdivision 3, by adding subdivisions; 256P.02, by adding a subdivision; 256P.03, subdivision 1; 256P.04, subdivisions 1, 4; 256P.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256P; repealing Minnesota Statutes 2014, sections 256D.0513; 256J.38; Minnesota Rules, part 3400.0170, subparts 5, 6, 12, 13.

Reported the same back with the following amendments:

Page 5, after line 14, insert:

"Sec. 7. Minnesota Statutes 2014, section 256D.02, is amended by adding a subdivision to read:

Subd. 1b. **Cash assistance benefit.** "Cash assistance benefit" means any payment received as a disability benefit, including veterans or workers' compensation; old age, survivors, and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, Supplemental Security Income, or other assistance program."

Page 10, line 15, delete "5" and insert "6"

Page 11, line 31, delete "6" and insert "7"

Page 17, line 2, after "119B" insert "or group residential housing under chapter 256I"

Page 17, line 6, after the comma, insert "except as provided for interim assistance in section 256D.06, subdivision 5."

Page 17, line 10, delete "in section 256J.21, subdivision 3 or 4."

Page 17, line 24, delete "4 and 5" and insert "5 and 6"

Page 17, after line 24, insert:

"Subd. 4. **Recovering GA and MSA overpayments.** (a) If an amount of assistance is paid to an assistance unit in excess of the payment due, it shall be recoverable by the agency. The agency shall give written notice to the participant of its intention to recover the overpayment.

(b) If the individual is no longer receiving assistance, the agency may request voluntary repayment or pursue civil recovery.

(c) If the individual is receiving assistance, except as provided for interim assistance in section 256D.06, subdivision 5, when an overpayment occurs the agency shall recover the overpayment by withholding an amount equal to:

(1) three percent of the assistance unit's standard of need for all MSA assistance units, and nonfraud cases for GA; and

(2) ten percent where fraud has occurred in GA cases; or

(3) the amount of the monthly GA or MSA payment, whichever is less.

(d) In cases when there is both an overpayment and underpayment, the county agency shall offset one against the other in correcting the payment.

(e) Overpayments may also be voluntarily repaid, in part or in full, by the individual, in addition to the assistance reductions provided in this subdivision, to include further voluntary reductions in the grant level agreed to in writing by the individual, until the total amount of the overpayment is repaid.

(f) The county agency shall make reasonable efforts to recover overpayments to individuals no longer on assistance. The agency need not attempt to recover overpayments of less than \$35 paid to an individual no longer on assistance if the individual does not receive assistance again within three years, unless the individual has been convicted of violating section 256.98.

(g) Establishment of an overpayment is limited to 12 months prior to the month of discovery due to agency error and six years prior to the month of discovery due to client error or an intentional program violation determined under section 256.046.

(h) Residents of licensed residential facilities shall not have overpayments recovered from their personal needs allowance.

(i) Overpayments by another maintenance benefit program shall not be recovered from the GA or MSA grant."

Renumber the subdivisions in sequence

Page 17, line 25, after "Recovering" insert "MFIP"

Page 18, line 2, delete "5" and insert "6"

Page 18, line 3, after "from" insert "MFIP"

Page 18, line 21, delete "9" and insert "10"

Page 19, line 1, after the period, insert "Corrective payments must be excluded when determining the applicant's or participant's income and resources for the month of payment."

Page 19, line 4, delete "subdivision 5" and insert "subdivisions 4 and 6"

Page 19, line 9, after the semicolon, insert "256D.06, subdivision 8; 256D.09, subdivision 6; 256D.49;"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1447, A bill for an act relating to health; implementing investment priorities of the Legislative Health Care Workforce Commission; establishing a grant program to expand clinical training of advanced practice registered nurses, physician assistants, and mental health professionals; establishing a grant program to expand primary care residency training; providing an incentive payment for health professions student preceptors and medical resident preceptors; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1538, A bill for an act relating to administrative rules; modifying requirements of a retired workers' compensation judges provision; amending Minnesota Statutes 2014, section 14.49.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Loon from the Committee on Education Finance to which was referred:

H. F. No. 1542, A bill for an act relating to education; reporting school and district data on foreign exchange and study abroad programs; encouraging foreign exchange and study abroad programs and policies; proposing coding for new law in Minnesota Statutes, chapter 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 5A.03, is amended to read:

5A.03 ORGANIZATION APPLICATION FOR REGISTRATION.

Subdivision 1. **Placing high school students in Minnesota.** (a) An application for registration as an international student exchange visitor placement organization must be submitted in the form prescribed by the secretary of state. The application must include:

- (1) evidence that the organization meets the standards established by the secretary of state by rule;
 - (2) the name, address, and telephone number of the organization, its chief executive officer, and the person within the organization who has primary responsibility for supervising placements within the state;
 - (3) the organization's unified business identification number, if any;
 - (4) the organization's Office of Exchange Coordination and Designation, United States Department of State number, if any;
 - (5) evidence of Council on Standards for International Educational Travel listing, if any;
 - (6) whether the organization is exempt from federal income tax; and
 - (7) a list of the organization's placements in Minnesota for the previous academic year including the number of students placed, their home countries, the school districts in which they were placed, and the length of their placements.
- (b) The application must be signed by the chief executive officer of the organization and the person within the organization who has primary responsibility for supervising placements within Minnesota. If the secretary of state determines that the application is complete, the secretary of state shall file the application and the applicant is registered.

(c) Organizations that have registered shall inform the secretary of state of any changes in the information required under paragraph (a), clause (1), within 30 days of the change. There is no fee to amend a registration.

(d) Registration under this chapter is valid for one year. The registration may be renewed annually. The fee to renew a registration is \$50 per year.

(e) Organizations registering for the first time in Minnesota must pay an initial registration fee of \$150.

(f) Fees collected by the secretary of state under this section must be deposited in the state treasury and credited to the general fund.

Subd. 2. Placing Minnesota students in travel abroad programs. (a) A school district or charter school with enrolled students who participate in a foreign exchange or study or other travel abroad program under a written agreement between the district or charter school and the program provider must use a form developed by the Department of Education to annually report to the department by November 1 the following data from the previous school year:

(1) the number of Minnesota student deaths that occurred while Minnesota students were participating in the foreign exchange or study or other travel abroad program and that resulted from Minnesota students participating in the program;

(2) the number of Minnesota students hospitalized due to accidents and the illnesses that occurred while Minnesota students were participating in the foreign exchange or study or other travel abroad program and that resulted from Minnesota students participating in the program; and

(3) the name and type of the foreign exchange or study or other travel abroad program and the city or region where the reported death, hospitalization due to accident, or the illness occurred.

(b) School districts and charter schools must ask but must not require enrolled eligible students and the parents or guardians of other enrolled students who complete a foreign exchange or study or other travel abroad program to disclose the information under paragraph (a).

(c) When reporting the data under paragraph (a), a school district or charter school may supplement the data with a brief explanatory statement. The Department of Education annually must aggregate and publish the reported data on the department Web site in a format that facilitates public access to the aggregated data and include links to both the United States Department of State's Consular Information Program that informs the public of conditions abroad that may affect students' safety and security and the publicly available reports on sexual assaults and other criminal acts affecting students participating in a foreign exchange or study or other travel abroad program.

(d) School districts and charter schools with enrolled students who participate in foreign exchange or study or other travel abroad programs under a written agreement between the district or charter school and the program provider are encouraged to adopt policies supporting the programs and to include program standards in their policies to ensure students' health and safety.

(e) To be eligible under this subdivision to provide a foreign exchange or study or other travel abroad program to Minnesota students enrolled in a school district or charter school, a program provider annually must register with the secretary of state and provide the following information on a form developed by the secretary of state: the name, address, and telephone number of the program provider, its chief executive officer, and the person within the provider's organization who is primarily responsible for supervising programs within the state; the program provider's unified business identification number, if any; evidence of Council on Standards for International Educational Travel listing, if any; whether the program provider is exempt from federal income tax; a list of the

program provider's placements in foreign countries for the previous school year including the number of Minnesota students placed, where Minnesota students were placed, and the length of their placement; and the signatures of the program provider's chief executive officer and the person primarily responsible for supervising Minnesota students' placements in foreign countries. If the secretary of state determines the registration is complete, the secretary of state shall file the registration and the program provider is registered. Registration with the secretary of state must not be considered or represented as an endorsement of the program provider by the secretary of state. The secretary of state annually must publish on its Web site aggregated data under paragraph (c) received from the Department of Education.

(f) Program providers, annually by August 1, must provide the data required under paragraph (a), clauses (1) to (3), to the districts and charter schools with enrolled students participating in the provider's program.

(g) The school district, the charter school, the Department of Education, and their respective employees, when acting in their official capacity, are immune from civil and criminal liability with respect to all activities related to implementing this subdivision.

EFFECTIVE DATE. This section is effective for the 2015-2016 school year and later.

Sec. 2. Minnesota Statutes 2014, section 13.32, subdivision 5, is amended to read:

Subd. 5. **Directory information.** (a) Information designated as directory information pursuant to the provisions of United States Code, title 20, section 1232g and Code of Federal Regulations, title 34, section 99.37 which are in effect on January 1, 2007, is public data on individuals. When conducting the directory information designation and notice process required by federal law, an educational agency or institution shall give parents and students notice of the right to refuse to let the agency or institution designate any or all data about the student as directory information. This notice may be given by any means reasonably likely to inform the parents and students of the right.

(b) An educational agency or institution may not disclose directory information to a foreign exchange or study or other travel abroad program provider under section 5A.03, subdivision 2, unless the program provider is registered with the Office of the Secretary of State.

EFFECTIVE DATE. This section is effective for the 2015-2016 school year and later.

Sec. 3. **APPROPRIATION; TRAVEL ABROAD PROGRAM OVERSIGHT.**

\$...... in fiscal year 2016 is appropriated from the general fund to the commissioner of education for purposes of Minnesota Statutes, section 5A.03, subdivision 2. Any funds unexpended in fiscal year 2016 do not cancel but carry forward to the next fiscal year.

Sec. 4. **APPROPRIATION; TRAVEL ABROAD PROGRAM REGISTRATION.**

\$...... in fiscal year 2016 is appropriated from the general fund to the secretary of state for purposes of Minnesota Statutes, section 5A.03, subdivision 2. Any funds unexpended in fiscal year 2016 do not cancel but carry forward to the next fiscal year."

Delete the title and insert:

"A bill for an act relating to education; reporting school and district data on foreign exchange and study abroad programs; encouraging foreign exchange and study abroad programs and policies; appropriating money; amending Minnesota Statutes 2014, sections 5A.03; 13.32, subdivision 5."

With the recommendation that when so amended the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 1555, A bill for an act relating to labor and industry; making housekeeping changes related to the Department of Labor and Industry, Office of Combative Sports, and apprenticeship programs; removing obsolete, redundant, and unnecessary laws and rules; making conforming changes; amending Minnesota Statutes 2014, sections 177.27, subdivision 4; 178.03, subdivision 3; 178.07; 181.171, subdivision 1; 182.6553, subdivisions 1, 2; 184.21, subdivision 4; 184.24, subdivision 1; 184.41; 341.21, subdivisions 2a, 4, 4f, 7, by adding a subdivision; 341.28, subdivision 3; 341.29; 341.30, subdivisions 1, 2, 4; 341.32, subdivisions 1, 2; 341.321; 341.33; repealing Minnesota Statutes 2014, sections 181.12; 181.9435, subdivision 2; 184.22, subdivision 1; 184.25; 184.26; 184.27; 184.28; 184.29; 184.30, subdivision 1; 184.32; 184.33; 184.34; 184.35; 184.36; 184.38, subdivisions 2, 16, 17; 184.40; 609B.137; Minnesota Rules, parts 5200.0510; 5200.0520; 5200.0530; 5200.0540; 5200.0550; 5200.0560; 5200.0570; 5200.0750; 5200.0760.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Dean, M., from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 1606, A bill for an act relating to human services; eliminating authority of the commissioner of human services to transfer certain funds; amending Minnesota Statutes 2014, section 256.478.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Kelly from the Committee on Transportation Policy and Finance to which was referred:

H. F. No. 1612, A bill for an act relating to public safety; motor vehicles; clarifying filing fees charged by deputy registrars; amending Minnesota Statutes 2014, sections 168.33, subdivision 7; 168A.07, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1616, A bill for an act relating to capital investment; appropriating money for the Gateway Corridor Transitway.

Reported the same back with the following amendments:

Page 1, line 5, delete "TRANSITWAY" and insert "BUSWAY"

Page 1, line 8, delete "Transitway" and insert "Bus Rapid Transit Guideway"

Amend the title as follows:

Page 1, line 3, delete "Transitway" and insert "Busway"

With the recommendation that when so amended the bill be re-referred to the Committee on Transportation Policy and Finance.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1617, A bill for an act relating to capital investment; appropriating money for the Gateway Corridor Transitway; authorizing the sale and issuance of state bonds.

Reported the same back with the following amendments:

Page 1, line 5, delete "TRANSITWAY" and insert "BUSWAY"

Page 1, line 8, delete "Transitway" and insert "Bus Rapid Transit Guideway"

Amend the title as follows:

Page 1, line 3, delete "Transitway" and insert "Busway"

With the recommendation that when so amended the bill be re-referred to the Committee on Transportation Policy and Finance.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 1625, A bill for an act relating to commerce; weights and measures; modifying the commissioner of commerce's powers; clarifying diesel fuel advertisement sign requirements; modifying the definition for ethanol flex fuels; updating fuel standard references; correcting cross-references; amending Minnesota Statutes 2014, sections 239.011, subdivision 2; 239.44; 239.751, by adding a subdivision; 239.761, subdivisions 3, 4, 6, 10, 11, 13, by adding a subdivision; 296A.01, subdivisions 7, 8, 19, 23, 24.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1628, A bill for an act relating to taxation; sales and use; modifying exemptions for durable medical equipment and supplies; providing for refunds; appropriating money; amending Minnesota Statutes 2014, section 297A.67, subdivision 7a; Laws 2013, chapter 143, article 8, sections 22, as amended; 23, as amended.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1634, A bill for an act relating to human services; increasing payment rates for certain services provided by a hospital that specializes in the treatment of cerebral palsy and other conditions; amending Minnesota Statutes 2014, sections 256B.76, subdivision 1; 256B.766; 256B.767.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1639, A bill for an act relating to human services; establishing grants for services for indigent individuals with emergency medical conditions or complex or chronic health conditions; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1651, A bill for an act relating to health; appropriating money for grant funding for opiate antagonist purchases and training.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **STEVE'S LAW GRANT PROGRAM; APPROPRIATION.**

(a) \$250,000 in fiscal year 2016 is appropriated from the general fund to the commissioner of health for grants to educate emergency medical services persons, as defined in Minnesota Statutes, section 144.7401, subdivision 4, on the use of an opiate antagonist in the event of an opioid or heroin overdose. Grant funds may be used for the purposes of training and education or purchasing opiate antagonists. This appropriation is a onetime appropriation and is available through September 1, 2016.

(b) The grant funding must be distributed proportionately to the eight regional emergency medical services programs based on the need of that region, as determined by the commissioner. The commissioner shall utilize existing data to determine the emergency medical services regions with the highest need for the grant funding provided in paragraph (a). The regional emergency medical services programs must submit an application for a grant to the commissioner by September 1, 2015.

(c) For purposes of this section, "opiate antagonist" means naloxone hydrochloride or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of drug overdose."

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 1658, A bill for an act relating to higher education; making various technical and policy changes to provisions related to higher education, including provisions related to grants, loans, registration, and various higher education programs; prohibiting certain institutions from limiting access to a student's transcript; providing procedures to terminate a postsecondary institution's eligibility for state student aid programs; modifying terms of SELF loan; modernizing, streamlining, and clarifying various statutes; eliminating unnecessary or redundant laws and rules; deleting obsolete language and unnecessary verbiage; amending Minnesota Statutes 2014, sections 13.32, subdivision 6; 16C.075; 136A.01, by adding a subdivision; 136A.031, subdivision 4; 136A.0411; 136A.101, subdivision 8; 136A.103; 136A.125, subdivisions 4, 4b; 136A.1313; 136A.15, subdivision 9; 136A.1701, subdivision 4; 136A.61; 136A.62, subdivision 3; 136A.63, subdivision 2; 136A.64, subdivision 1; 136A.65, subdivisions 4, 7; 136A.657, subdivisions 1, 3, by adding a subdivision; 136A.67; 136A.861, subdivision 1; 136A.87; 136G.05, subdivision 7; 141.21, subdivisions 5, 6a, 9; 141.25; 141.251, subdivision 2; 141.255; 141.26; 141.265; 141.271, subdivisions 1a, 1b, 3, 5, 7, 8, 9, 10, 12, 13, 14; 141.28; 141.29; 141.30; 141.32; 141.35; 197.75, subdivision 1; 261.23; proposing coding for new law in Minnesota Statutes, chapter 136A; repealing Minnesota Statutes 2014, sections 135A.25, subdivisions 1, 2, 3, 4, 5; 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 9b, 10, 10a, 11, 14; 158.01; 158.02; 158.03; 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10; 158.11; 158.12; Minnesota Rules, parts 4830.0120; 4830.0130; 4830.0140; 4830.0150; 4830.0160; 4830.0170; 4830.0180; 4830.0190; 4830.0195; 4830.7500, subparts 2a, 2b, 2c, 3a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
HIGHER EDUCATION; TECHNICAL CHANGES

Section 1. Minnesota Statutes 2014, section 136A.031, subdivision 4, is amended to read:

Subd. 4. **Student representation.** ~~The commissioner must place at least one student from an affected educational system on any task force created by the office. The commissioner must submit to the SAC the name of any student appointed to an advisory group or task force. The student appointment is not approved if four SAC members vote to disapprove of the appointment. If an appointment is disapproved, the commissioner must submit another student appointment to the SAC in a timely manner shall invite the council to nominate a student or students to serve on task forces created by the office, when appropriate.~~

Sec. 2. Minnesota Statutes 2014, section 136A.0411, is amended to read:

136A.0411 COLLECTING FEES.

The office may charge fees for seminars, conferences, workshops, services, and materials. The office may collect fees for registration and licensure of private institutions under sections 136A.61 to 136A.71 and chapter 141. The money is ~~annually~~ appropriated to the office.

Sec. 3. Minnesota Statutes 2014, section 136A.61, is amended to read:

136A.61 POLICY.

The legislature has found and hereby declares that the availability of legitimate courses and programs leading to academic degrees offered by responsible private ~~not for profit~~ nonprofit and for-profit institutions of postsecondary education and the existence of legitimate private colleges and universities are in the best interests of the people of

this state. The legislature has found and declares that the state can provide assistance and protection for persons choosing private institutions and programs, by establishing policies and procedures to assure the authenticity and legitimacy of private postsecondary education institutions and programs. The legislature has also found and declares that this same policy applies to any private and public postsecondary educational institution located in another state or country which offers or makes available to a Minnesota resident any course, program or educational activity which does not require the leaving of the state for its completion.

Sec. 4. Minnesota Statutes 2014, section 136A.63, subdivision 2, is amended to read:

Subd. 2. **Sale of an institution.** Within 30 days of a change of its ownership a school must submit a registration renewal application, all usual and ordinary information and materials for an initial registration, and applicable registration fees for a new institution. For purposes of this subdivision, "change of ownership" means a merger or consolidation with a corporation; a sale, lease, exchange, or other disposition of all or substantially all of the assets of a school; the transfer of a controlling interest of at least 51 percent of the school's stock; or a change in the ~~not-for-profit~~ nonprofit or for-profit status of a school.

Sec. 5. Minnesota Statutes 2014, section 136A.65, subdivision 7, is amended to read:

Subd. 7. **Conditional approval.** The office may grant conditional approval for a degree or use of a term in its name for a period of less than one year if doing so would be in the best interests of currently enrolled students or prospective students. New schools may be granted conditional approval for degrees or names annually for a period not to exceed five years to allow them the opportunity to apply for and receive accreditation as required in subdivision 1a. A new school granted conditional approval may be allowed to continue as a registered institution in order to complete an accreditation process upon terms and conditions the office determines.

Sec. 6. Minnesota Statutes 2014, section 136A.657, subdivision 1, is amended to read:

Subdivision 1. **Exemption.** Any school or any department or branch of a school (a) which is substantially owned, operated or supported by a bona fide church or religious organization; (b) whose programs are primarily designed for, aimed at and attended by persons who sincerely hold or seek to learn the particular religious faith or beliefs of that church or religious organization; and (c) whose programs are primarily intended to prepare its students to become ministers of, to enter into some other vocation closely related to, or to conduct their lives in consonance with, the particular faith of that church or religious organization, is exempt from the provisions of sections 136A.61 to ~~136A.71~~ 136A.834.

Sec. 7. Minnesota Statutes 2014, section 136A.657, subdivision 3, is amended to read:

Subd. 3. **Scope.** Nothing in sections 136A.61 to ~~136A.71~~ 136A.834, or the rules adopted pursuant thereto, shall be interpreted as permitting the office to determine the truth or falsity of any particular set of religious beliefs.

Sec. 8. Minnesota Statutes 2014, section 136A.67, is amended to read:

136A.67 REGISTRATION REPRESENTATIONS.

No school and none of its officials or employees shall advertise or represent in any manner that such school is approved or accredited by the office or the state of Minnesota, except a school which is duly registered with the office, or any of its officials or employees, may represent in advertising and shall disclose in catalogues, applications, and enrollment materials that the school is registered with the office by prominently displaying the following statement: "(Name of school) is registered ~~as a private institution~~ with the office pursuant to sections 136A.61 to 136A.71. Registration is not an endorsement of the institution. Credits earned at the institution may not transfer to all other institutions." In addition, all registered schools shall publish in the school catalog or student handbook the name, street address, telephone number, and Web site address of the office.

Sec. 9. Minnesota Statutes 2014, section 136G.05, subdivision 7, is amended to read:

Subd. 7. **Marketing.** The commissioner shall make parents and other interested individuals aware of the availability and advantages of the program as a way to save for higher education costs. ~~The cost of these promotional efforts may not be funded with fees imposed on participants.~~

Sec. 10. Minnesota Statutes 2014, section 141.21, subdivision 5, is amended to read:

Subd. 5. **Private career school.** "Private career school" means ~~any a person, within or outside the state, who maintains, advertises, administers, solicits for, or conducts any program at less than an associate degree level and; is not registered as a private institution under sections 136A.61 to 136A.71; and is not specifically exempted by section 141.35 or 141.37. School also means any person, within or outside the state, who maintains, advertises, administers, solicits for, or conducts any program at less than an associate degree level, is not registered as a private institution pursuant to sections 136A.61 to 136A.71, and uses the term, "college," "institute," "academy," or "university" in its name.~~

Sec. 11. Minnesota Statutes 2014, section 141.21, subdivision 6a, is amended to read:

Subd. 6a. **Multiple location.** "Multiple location" means any site where classes or administrative services are provided to students and ~~which that~~ has a street address that is different than the street address found on the ~~school's~~ private career ~~school~~ school's license.

Sec. 12. Minnesota Statutes 2014, section 141.21, subdivision 9, is amended to read:

Subd. 9. **Distance education private career school.** "Distance education private career school" means a school that establishes, keeps, or maintains a facility or location where a program is offered through distance instruction.

Sec. 13. Minnesota Statutes 2014, section 141.25, is amended to read:

141.25 LICENSURE.

Subdivision 1. **Required.** A private career school must not maintain, advertise, solicit for, administer, or conduct any program in Minnesota without first obtaining a license from the office.

Subd. 2. **Contract unenforceable.** A contract entered into with a person for a program by or on behalf of a person operating a private career school to which a license has not been issued under sections 141.21 to 141.35, is unenforceable in any action.

Subd. 2a. **Refunds.** If a contract is deemed unenforceable under subdivision 2, a private career school must refund tuition, fees, and other charges received from a student or on behalf of a student within 30 days of receiving written notification and demand for refund from the ~~Minnesota office of Higher Education.~~

Subd. 3. **Application.** Application for a license shall be on forms prepared and furnished by the office, and shall include the following and other information as the office may require:

- (1) the title or name of the private career school, ownership and controlling officers, members, managing employees, and director;
- (2) the specific programs which will be offered and the specific purposes of the instruction;
- (3) the place or places where the instruction will be given;

- (4) a listing of the equipment available for instruction in each program;
- (5) the maximum enrollment to be accommodated with equipment available in each specified program;
- (6) the qualifications of instructors and supervisors in each specified program;
- (7) a current balance sheet, income statement, and adequate supporting documentation, prepared and certified by an independent public accountant or CPA;
- (8) copies of all media advertising and promotional literature and brochures or electronic display currently used or reasonably expected to be used by the private career school;
- (9) copies of all Minnesota enrollment agreement forms and contract forms and all enrollment agreement forms and contract forms used in Minnesota; and
- (10) gross income earned in the preceding year from student tuition, fees, and other required institutional charges, unless the private career school files with the office a surety bond equal to at least \$250,000 as described in subdivision 5.

Subd. 4. **Certification.** Each application shall be signed and certified to under oath by the proprietor if the applicant is a proprietorship, by the managing partner if the applicant is a partnership, or by the authorized officers of the applicant if the applicant is a corporation, association, company, firm, society or trust.

Subd. 5. **Bond.** (a) No license shall be issued to any private career school which maintains, conducts, solicits for, or advertises within the state of Minnesota any program, unless the applicant files with the office a continuous corporate surety bond written by a company authorized to do business in Minnesota conditioned upon the faithful performance of all contracts and agreements with students made by the applicant.

(b)(1) The amount of the surety bond shall be ten percent of the preceding year's gross income from student tuition, fees, and other required institutional charges, but in no event less than \$10,000 nor greater than \$250,000, except that a private career school may deposit a greater amount at its own discretion. A private career school in each annual application for licensure must compute the amount of the surety bond and verify that the amount of the surety bond complies with this subdivision, unless the private career school maintains a surety bond equal to at least \$250,000. A private career school that operates at two or more locations may combine gross income from student tuition, fees, and other required institutional charges for all locations for the purpose of determining the annual surety bond requirement. The gross tuition and fees used to determine the amount of the surety bond required for a private career school having a license for the sole purpose of recruiting students in Minnesota shall be only that paid to the private career school by the students recruited from Minnesota.

(2) A ~~school~~ person required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in its name and which is also licensed by another state agency or board shall be required to provide a school bond of \$10,000.

(c) The bond shall run to the state of Minnesota and to any person who may have a cause of action against the applicant arising at any time after the bond is filed and before it is canceled for breach of any contract or agreement made by the applicant with any student. The aggregate liability of the surety for all breaches of the conditions of the bond shall not exceed the principal sum deposited by the private career school under paragraph (b). The surety of any bond may cancel it upon giving 60 days' notice in writing to the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation.

(d) In lieu of bond, the applicant may deposit with the commissioner of management and budget a sum equal to the amount of the required surety bond in cash, an irrevocable letter of credit issued by a financial institution equal to the amount of the required surety bond, or securities as may be legally purchased by savings banks or for trust funds in an aggregate market value equal to the amount of the required surety bond.

(e) Failure of a private career school to post and maintain the required surety bond or deposit under paragraph (d) shall result in denial, suspension, or revocation of the school's license.

Subd. 6. **Resident agent.** Private career schools located outside the state of Minnesota that offer, advertise, solicit for, or conduct any program within the state of Minnesota shall first file with the secretary of state a sworn statement designating a resident agent authorized to receive service of process. The statement shall designate the secretary of state as resident agent for service of process in the absence of a designated agent. If a private career school fails to file the statement, the secretary of state is designated as the resident agent authorized to receive service of process. The authorization shall be irrevocable as to causes of action arising out of transactions occurring prior to the filing of written notice of withdrawal from the state of Minnesota filed with the secretary of state.

Subd. 7. **Minimum standards.** A license shall be issued if the office first determines:

(1) that the applicant has a sound financial condition with sufficient resources available to:

(i) meet the private career school's financial obligations;

(ii) refund all tuition and other charges, within a reasonable period of time, in the event of dissolution of the private career school or in the event of any justifiable claims for refund against the private career school by the student body;

(iii) provide adequate service to its students and prospective students; and

(iv) maintain and support the private career school;

(2) that the applicant has satisfactory facilities with sufficient tools and equipment and the necessary number of work stations to prepare adequately the students currently enrolled, and those proposed to be enrolled;

(3) that the applicant employs a sufficient number of qualified teaching personnel to provide the educational programs contemplated;

(4) that the private career school has an organizational framework with administrative and instructional personnel to provide the programs and services it intends to offer;

~~(5) that the premises and conditions under which the students work and study are sanitary, healthful, and safe;~~

~~(5)~~ (5) that the quality and content of each occupational course or program of study provides education and adequate preparation to enrolled students for entry level positions in the occupation for which prepared;

~~(6)~~ (6) that the premises and conditions where the students work and study and the student living quarters which are owned, maintained, recommended, or approved by the applicant ~~for students~~ are sanitary, healthful, and safe, as evidenced by a certificate of occupancy issued by the municipality or county where the private career school is physically situated, a fire inspection by the local or state fire marshal, or another verification deemed acceptable by the office;

~~(8)~~ (7) that the contract or enrollment agreement used by the private career school complies with the provisions in section 141.265;

~~(9)~~ (8) that contracts and agreements do not contain a wage assignment provision or a confession of judgment clause; and

~~(10)~~ (9) that there has been no adjudication of fraud or misrepresentation in any criminal, civil, or administrative proceeding in any jurisdiction against the private career school or its owner, officers, agents, or sponsoring organization.

Subd. 8. **Fees and terms of license.** An application for an initial license under sections 141.21 to 141.35 shall be accompanied by a nonrefundable application fee as provided in section 141.255 that is sufficient to recover, but not exceed, the administrative costs of the office.

All licenses shall expire one year from the date issued by the office, except as provided in section 141.251.

Subd. 9. **Catalog, brochure, or electronic display.** Before a license is issued to a private career school, the private career school shall furnish to the office a catalog, brochure, or electronic display including:

- (1) identifying data, such as volume number and date of publication;
- (2) name and address of the private career school and its governing body and officials;
- (3) a calendar of the private career school showing legal holidays, beginning and ending dates of each course quarter, term, or semester, and other important dates;
- (4) the private career school policy and regulations on enrollment including dates and specific entrance requirements for each program;
- (5) the private career school policy and regulations about leave, absences, class cuts, make-up work, tardiness, and interruptions for unsatisfactory attendance;
- (6) the private career school policy and regulations about standards of progress for the student including the grading system of the private career school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, a description of any probationary period allowed by the private career school, and conditions of reentrance for those dismissed for unsatisfactory progress;
- (7) the private career school policy and regulations about student conduct and conditions for dismissal for unsatisfactory conduct;
- (8) a detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;
- (9) the private career school policy and regulations, including an explanation of section 141.271, about refunding tuition, fees, and other charges if the student does not enter the program, withdraws from the program, or the program is discontinued;
- (10) a description of the available facilities and equipment;
- (11) a course outline syllabus for each course offered showing course objectives, subjects or units in the course, type of work or skill to be learned, and approximate time, hours, or credits to be spent on each subject or unit;

(12) the private career school policy and regulations about granting credit for previous education and preparation;

(13) a notice to students relating to the transferability of any credits earned at the private career school to other institutions;

(14) a procedure for investigating and resolving student complaints; and

(15) the name and address of the ~~Minnesota~~ office of ~~Higher Education~~.

A private career school that is exclusively a distance education school is exempt from clauses (3) and (5).

Subd. 10. **Placement records.** (a) Before a license is reissued to a private career school that offers, advertises or implies a placement service, the private career school shall file with the office for the past year and thereafter at reasonable intervals determined by the office, a certified copy of the private career school's placement record, containing a list of graduates, a description of their jobs, names of their employers, and other information as the office may prescribe.

(b) Each private career school that offers a placement service shall furnish to each prospective student, upon request, prior to enrollment, written information concerning the percentage of the previous year's graduates who were placed in the occupation for which prepared or in related employment.

Subd. 12. **Permanent records.** A private career school licensed under this chapter and located in Minnesota shall maintain a permanent record for each student for 50 years from the last date of the student's attendance. A private career school licensed under this chapter and offering distance instruction to a student located in Minnesota shall maintain a permanent record for each Minnesota student for 50 years from the last date of the student's attendance. Records include school transcripts, documents, and files containing student data about academic credits earned, courses completed, grades awarded, degrees awarded, and periods of attendance. To preserve permanent records, a private career school shall submit a plan that meets the following requirements:

(1) at least one copy of the records must be held in a secure, fireproof depository;

(2) an appropriate official must be designated to provide a student with copies of records or a transcript upon request;

(3) an alternative method, approved by the office, of complying with clauses (1) and (2) must be established if the private career school ceases to exist; and

(4) a continuous surety bond must be filed with the office in an amount not to exceed \$20,000 if the private career school has no binding agreement approved by the office, for preserving student records. The bond shall run to the state of Minnesota.

Subd. 13. **Private career schools licensed by another state agency or board.** A private career school required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in its name or licensed for the purpose of participating in state financial aid under chapter 136A, and which is also licensed by another state agency or board shall be required to satisfy only the requirements of subdivisions 3, clauses (1), (2), (3), (5), (7), and (10); 4; 5, paragraph (b), clause (2); 7, clauses (1) and (10); 8; 9, clause (13); and 12. A distance education school located in another state, or a school licensed to recruit Minnesota residents for attendance at a school outside of this state, or a school licensed by another state agency as its primary licensing body, may continue to use the school's name as permitted by its home state or its primary licensing body.

Sec. 14. Minnesota Statutes 2014, section 141.251, subdivision 2, is amended to read:

Subd. 2. **Conditions.** The office shall adopt rules establishing the conditions for renewal of a license. The conditions shall permit two levels of renewal based on the record of the private career school. A private career school that has demonstrated the quality of its program and operation through longevity and performance in the state may renew its license based on a relaxed standard of scrutiny. A private career school that has been in operation in Minnesota for a limited period of time or that has not performed adequately on performance indicators shall renew its license based on a strict standard of scrutiny. The office shall specify minimum longevity standards and performance indicators that must be met before a private career school may be permitted to operate under the relaxed standard of scrutiny. The performance indicators used in this determination shall include, but not be limited to: regional or national accreditation, loan default rates, placement rate of graduates, student withdrawal rates, audit results, student complaints, and school status with the United States Department of Education. Private career schools that meet the requirements established in rule shall be required to submit a full relicensure report once every four years, and in the interim years will be exempt from the requirements of section 141.25, subdivision 3, clauses (4), (5), and (8), and Minnesota Rules, parts 4880.1700, subpart 6; and 4880.2100, subpart 4.

Sec. 15. Minnesota Statutes 2014, section 141.255, is amended to read:

141.255 FEES.

Subdivision 1. **Initial licensure fee.** The office processing fee for an initial licensure application is:

- (1) \$2,500 for a private career school that will offer no more than one program during its first year of operation;
- (2) \$750 for a private career school licensed exclusively due to the use of the term "college," "university," "academy," or "institute" in its name, or licensed exclusively in order to participate in state grant or SELF loan financial aid programs; and
- (3) \$2,500, plus \$500 for each additional program offered by the private career school, for a private career school during its first year of operation.

Subd. 2. **Renewal licensure fee; late fee.** (a) The office processing fee for a renewal licensure application is:

- (1) for a private career school that offers one program, the license renewal fee is \$1,150;
 - (2) for a private career school that offers more than one program, the license renewal fee is \$1,150, plus \$200 for each additional program with a maximum renewal licensing fee of \$2,000;
 - (3) for a private career school licensed exclusively due to the use of the term "college," "university," "academy," or "institute" in its name, the license renewal fee is \$750; and
 - (4) for a private career school licensed by another state agency and also licensed with the office exclusively in order to participate in state student aid programs, the license renewal fee is \$750.
- (b) If a license renewal application is not received by the office by the close of business at least 60 days before the expiration of the current license, a late fee of \$100 per business day, not to exceed \$3,000, shall be assessed.

Subd. 4. **Program addition fee.** The office processing fee for adding a program to those that are currently offered by the private career school is \$500 per program.

Subd. 5. **Visit or consulting fee.** If the office determines that a fact-finding visit or outside consultant is necessary to review or evaluate any new or revised program, the office shall be reimbursed for the expenses incurred related to the review as follows:

(1) \$400 for the team base fee or for a paper review conducted by a consultant if the office determines that a fact-finding visit is not required;

(2) \$300 for each day or part thereof on site per team member; and

(3) the actual cost of customary meals, lodging, and related travel expenses incurred by team members.

Subd. 6. **Modification fee.** The fee for modification of any existing program is \$100 and is due if there is:

(1) an increase or decrease of 25 percent or more, from the original date of program approval, in clock hours, credit hours, or calendar length of an existing program;

(2) a change in academic measurement from clock hours to credit hours or vice versa; or

(3) an addition or alteration of courses that represent a 25 percent change or more in the objectives, content, or methods of delivery.

Subd. 7. **Solicitor permit fee.** The solicitor permit fee is \$350 and must be paid annually.

Subd. 8. **Multiple location fee.** Private career schools wishing to operate at multiple locations must pay:

(1) \$250 per location, for locations two to five; and

(2) an additional \$100 for each location over five.

Subd. 9. **Student transcript fee.** The fee for a student transcript requested from a closed private career school whose records are held by the office is \$15, with a maximum of five transcripts per request.

Subd. 10. **Public office documents; copies.** The rate for copies of any public office document shall be 50 cents per page.

Sec. 16. Minnesota Statutes 2014, section 141.26, is amended to read:

141.26 PERMITS FOR SOLICITORS.

Subdivision 1. **Required.** A solicitor representing a private career school must obtain a solicitor's permit from the office before soliciting students to enroll in ~~such~~ the private career school. Such permit shall expire one year following the date of issuance. Application for renewal of permit shall be made annually.

Subd. 2. **Application for permit.** (a) The application for the permit shall state the full name, address, previous employment, and such other information concerning the solicitor applicant as the office may require.

(b) The application shall have attached to it a certified affidavit signed by a private career school official and the solicitor attesting to the fact that the applicant has been furnished a copy, has read and has knowledge of the provisions of this chapter and Minnesota Rules.

Subd. 3. **Refusal of permit.** No permit shall be issued to any solicitor unless such solicitor files with the office a continuous corporate surety bond in the sum of \$2,000 conditioned upon the faithful performance of all contracts and agreements with the students made by the solicitor. Such bonds shall run to the state of Minnesota and to any person who may have cause of action against the applicant arising at any time after the bond is filed and before it is canceled for breach of any contract or agreement made by the solicitor with any student. The aggregate liability of the surety for all breaches of the conditions of the bond shall not exceed the principal sum of \$2,000. The surety of any such bond may cancel it upon giving 60 days' notice in writing to the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation. In lieu of bond, the solicitor may deposit with the commissioner of management and budget the sum of \$2,000.

Subd. 4. **Additional permits.** A solicitor representing more than one private career school must obtain a separate permit for each private career school represented; however when a solicitor represents private career schools having a common ownership, only one permit shall be required.

Subd. 5. **Fee.** The initial and renewal application for each permit shall be accompanied by a nonrefundable fee under section 141.255.

Subd. 6. **Contract; validity.** Any contract entered into by a solicitor for a licensed private career school shall be unenforceable in any action brought thereon if the solicitor does not hold a valid permit as required by this section.

Sec. 17. Minnesota Statutes 2014, section 141.265, is amended to read:

141.265 INFORMATION TO STUDENTS.

Subdivision 1. **Catalog, brochure, or electronic display.** A private career school or its agent must provide the catalog, brochure, or electronic display required in section 141.25, subdivision 9, to a prospective student in a time or manner that gives the prospective student at least five days to read the catalog, brochure, or electronic display before signing a contract or enrollment agreement or before being accepted by a private career school that does not use a written contract or enrollment agreement.

Subd. 2. **Contract information.** A contract or enrollment agreement used by a private career school must include at least the following:

- (1) the name and address of the private career school, clearly stated;
- (2) a clear and conspicuous disclosure that the agreement is a legally binding instrument upon written acceptance of the student by the private career school unless canceled under section 141.271;
- (3) the private career school's cancellation and refund policy that shall be clearly and conspicuously entitled "Buyer's Right to Cancel";
- (4) a clear statement of total cost of the program including tuition and all other charges;
- (5) the name and description of the program, including the number of hours or credits of classroom instruction, or distance instruction, that shall be included; and
- (6) a clear and conspicuous explanation of the form and means of notice the student should use in the event the student elects to cancel the contract or sale, the effective date of cancellation, and the name and address of the seller to which the notice should be sent or delivered.

The contract or enrollment agreement must not include a wage assignment provision or a confession of judgment clause.

Subd. 3. **Contract copies.** Immediately upon signing of the enrollment agreement or the contract by a prospective student, the private career school or agent shall furnish to the prospective student an exact duplicate copy of the enrollment agreement or contract.

Sec. 18. Minnesota Statutes 2014, section 141.271, subdivision 1a, is amended to read:

Subd. 1a. **Notice; right to refund.** Every private career school shall notify each student, in writing, of acceptance or rejection. In the event that the student is rejected by the private career school, all tuition, fees and other charges shall be refunded.

Sec. 19. Minnesota Statutes 2014, section 141.271, subdivision 1b, is amended to read:

Subd. 1b. **Short-term programs.** Licensed private career schools conducting programs not exceeding 40 hours in length shall not be required to make a full refund once a program has commenced and shall be allowed to prorate any refund based on the actual length of the program as stated in the private career school catalog or advertisements and the number of hours attended by the student.

Sec. 20. Minnesota Statutes 2014, section 141.271, subdivision 3, is amended to read:

Subd. 3. ~~Schools not using written contracts~~ **Notice; amount.** (a) ~~Notwithstanding anything to the contrary, a private career school that does not use a written contract or enrollment agreement shall refund all tuition, fees and other charges paid by a student if the student gives written notice of cancellation within five business days after the day on which the student is accepted by the private career school regardless of whether the program has started.~~

(b) When a student has been accepted by the private career school and gives written notice of cancellation following the fifth business day after the day of acceptance by the private career school, but before the start of the program, in the case of resident private career schools, or before the first lesson has been serviced by the private career school, in the case of distance education schools, all tuition, fees and other charges, except 15 percent of the total cost of the program but not to exceed \$50, shall be refunded to the student.

Sec. 21. Minnesota Statutes 2014, section 141.271, subdivision 5, is amended to read:

Subd. 5. ~~Distance education schools~~ **Proration.** When a student has been accepted by a ~~distance education~~ private career school and gives written notice of cancellation after the ~~first lesson has been completed by the student and serviced by the school~~ program of instruction has begun, but before completion of 75 percent of the program, the amount charged for tuition, fees and all other charges ~~for the completed lessons~~ shall be prorated based on the number of days in the term as a portion of the total charges for tuition, fees and all other charges. An additional 25 percent of the total cost of the program may be added but shall not exceed ~~\$75~~ \$100. After completion of 75 percent of the program, no refunds are required.

Sec. 22. Minnesota Statutes 2014, section 141.271, subdivision 7, is amended to read:

Subd. 7. **Equipment and supplies.** The fair market retail price, if separately stated in the catalog and contract or enrollment agreement, of equipment or supplies furnished to the student, which the student fails to return in condition suitable for resale, and which may reasonably be resold, within ten business days following cancellation may be retained by the private career school and may be deducted from the total cost for tuition, fees and all other charges when computing refunds.

An overstatement of the fair market retail price of any equipment or supplies furnished the student shall be considered inconsistent with this provision.

Sec. 23. Minnesota Statutes 2014, section 141.271, subdivision 8, is amended to read:

Subd. 8. **Time of refund.** Each private career school shall acknowledge in writing any valid notice of cancellation within ten business days after the receipt of such notice and within 30 business days shall refund to the student any amounts due and arrange for termination of the student's obligation to pay any sum in excess of that due under the cancellation and refund policy.

Sec. 24. Minnesota Statutes 2014, section 141.271, subdivision 9, is amended to read:

Subd. 9. **Limitation.** A private career school cannot make its refund policy conditional upon compliance with the school's regulations or rules of conduct.

Sec. 25. Minnesota Statutes 2014, section 141.271, subdivision 10, is amended to read:

Subd. 10. **Cancellation occurrence.** Written notice of cancellation shall take place on the date the letter of cancellation is postmarked or, in the cases where the notice is hand carried, it shall occur on the date the notice is delivered to the private career school. If a student has not attended class for a period of 21 consecutive days without contacting the private career school to indicate an intent to continue in school or otherwise making arrangements concerning the absence, the student is considered to have withdrawn from school for all purposes as of the student's last documented date of attendance.

Sec. 26. Minnesota Statutes 2014, section 141.271, subdivision 12, is amended to read:

Subd. 12. **Instrument not to be negotiated.** A private career school shall not negotiate any promissory instrument received as payment of tuition or other charge prior to completion of 50 percent of the program, except that prior to that time, instruments may be transferred by assignment to purchasers who shall be subject to all defenses available against the private career school named as payee.

Sec. 27. Minnesota Statutes 2014, section 141.271, subdivision 13, is amended to read:

Subd. 13. **Cancellation of enrollment.** If a student's enrollment in a private career school is canceled for any reason, the private career school shall notify any agency known to the private career school to be providing financial aid to the student of the cancellation within 30 days.

Sec. 28. Minnesota Statutes 2014, section 141.271, subdivision 14, is amended to read:

Subd. 14. **Closed private career school.** In the event a private career school closes for any reason during a term and interrupts and terminates classes during that term, all tuition for the term shall be refunded to the students or the appropriate state or federal agency or private lender that provided any funding for the term and any outstanding obligation of the student for the term is canceled.

Sec. 29. Minnesota Statutes 2014, section 141.28, is amended to read:

141.28 PROHIBITIONS.

Subdivision 1. **Disclosure required; advertisement restricted.** Private career schools, agents of private career schools, and solicitors may not advertise or represent in writing or orally that the private career school is approved or accredited by the state of Minnesota, except that any private career school, agent, or solicitor may represent in advertisements and shall disclose in catalogues, applications, and enrollment materials that the private career school is duly licensed by the state by prominently displaying the following statement:

"(Name of private career school) is licensed as a private career school with the Minnesota Office of Higher Education pursuant to Minnesota Statutes, sections 141.21 to 141.32. Licensure is not an endorsement of the institution. Credits earned at the institution may not transfer to all other institutions."

Subd. 2. **Unlawful designation.** No private career school organized after November 15, 1969, shall apply to itself either as a part of its name or in any other manner the designation of "college" or "university." Operating private career schools now using such designation may continue use thereof.

Subd. 3. **False statements.** A private career school, agent, or solicitor shall not make, or cause to be made, any statement or representation, oral, written or visual, in connection with the offering or publicizing of a program, if the private career school, agent, or solicitor knows or reasonably should have known the statement or representation to be false, fraudulent, deceptive, substantially inaccurate, or misleading.

Subd. 4. **Acceptance of contracts.** No private career school shall accept contracts, enrollment agreements or enrollment applications from an agent or solicitor who does not have a current permit.

Subd. 5. **Improbable program completion or employment.** A private career school, agent, or solicitor shall not enroll a prospective student when it is obvious that the prospective student is unlikely to successfully complete a program or is unlikely to qualify for employment in the vocation or field for which the preparation is designed unless this fact is affirmatively disclosed to the prospective student. If a prospective student expresses a desire to enroll after such disclosure, a disclaimer may be obtained by the private career school. The disclaimer shall be signed by the student and shall state substantially one or both of the following: "I am fully aware that it is unlikely I will be able to successfully complete the program" and "I am fully aware of the improbability or impossibility that I will qualify for employment in the vocation or field for which the program was designed."

Subd. 6. **Financial aid payments.** (a) All private career schools must collect, assess, and distribute funds received from loans or other financial aid as provided in this subdivision.

(b) Student loans or other financial aid funds received from federal, state, or local governments or administered in accordance with federal student financial assistance programs under title IV of the Higher Education Act of 1965, as amended, United States Code, title 20, chapter 28, must be collected and applied as provided by applicable federal, state, or local law or regulation.

(c) Student loans or other financial aid assistance received from a bank, finance or credit card company, or other private lender must be collected or disbursed as provided in paragraphs (d) and (e).

(d) Loans or other financial aid payments for amounts greater than \$3,000 must be disbursed:

(1) in two equal disbursements, if the term length is more than four months. The loan or payment amounts may be disbursed no earlier than the first day the student attends class with the remainder to be disbursed halfway through the term; or

(2) in three equal disbursements, if the term length is more than six months. The loan or payment amounts may be disbursed no earlier than the first day the student attends class, one-third of the way through the term, and two-thirds of the way through the term.

(e) Loans or other financial aid payments for amounts less than \$3,000 may be disbursed as a single disbursement on the first day a student attends class, regardless of term length.

(f) No private career school may enter into a contract or agreement with, or receive any money from, a bank, finance or credit card company, or other private lender, unless the private lender follows the requirements for disbursements provided in paragraphs (d) and (e).

Sec. 30. Minnesota Statutes 2014, section 141.29, is amended to read:

141.29 REVOCATION OF LICENSE OR PERMIT.

Subdivision 1. **Grounds.** The office may, after notice and upon providing an opportunity for a hearing, under chapter 14 if requested by the parties adversely affected, refuse to issue, refuse to renew, revoke, or suspend a license or solicitor's permit for any of the following grounds:

- (1) violation of any provisions of sections 141.21 to 141.35 or any rule adopted by the office;
- (2) furnishing to the office false, misleading, or incomplete information;
- (3) presenting to prospective students information relating to the private career school that is false, fraudulent, deceptive, substantially inaccurate, or misleading;
- (4) refusal to allow reasonable inspection or supply reasonable information after written request by the office;
- (5) the existence of any circumstance that would be grounds for the refusal of an initial or renewal license under section 141.25.

Subd. 2. **Appeal.** Any order refusing, revoking, or suspending a private career school's license or a solicitor's permit is appealable in accordance with chapter 14. Where a private career school has been operating and its license has been revoked, suspended, or refused by the office, the order is not effective until the final determination of the appeal unless immediate effect is ordered by the court.

Subd. 3. **Powers and duties.** The office shall have (in addition to the powers and duties now vested therein by law) the following powers and duties:

- (a) To negotiate and enter into interstate reciprocity agreements with similar agencies in other states, if in the judgment of the office such agreements are or will be helpful in effectuating the purposes of Laws 1973, chapter 714;
- (b) To grant conditional private career school license for periods of less than one year if in the judgment of the office correctable deficiencies exist at the time of application and when refusal to issue private career school license would adversely affect currently enrolled students;
- (c) The office may upon its own motion, and shall upon the verified complaint in writing of any person setting forth fact which, if proved, would constitute grounds for refusal or revocation under Laws 1973, chapter 714, investigate the actions of any applicant or any person or persons holding or claiming to hold a license or permit. However, before proceeding to a hearing on the question of whether a license or permit shall be refused, revoked or suspended for any cause enumerated in subdivision 1, the office shall grant a reasonable time to the holder of or applicant for a license or permit to correct the situation. If within such time the situation is corrected and the private career school is in compliance with the provisions of this chapter, no further action leading to refusal, revocation, or suspension shall be taken.

Sec. 31. Minnesota Statutes 2014, section 141.30, is amended to read:

141.30 INSPECTION.

(a) The office or a delegate may inspect the instructional books and records, classrooms, dormitories, tools, equipment and classes of any private career school or applicant for license at any reasonable time. The office may require the submission of a certified public audit, or if there is no such audit available the office or a delegate may inspect the financial books and records of the private career school. In no event shall such financial information be used by the office to regulate or set the tuition or fees charged by the private career school.

(b) Data obtained from an inspection of the financial records of a private career school or submitted to the office as part of a license application or renewal are nonpublic data as defined in section 13.02, subdivision 9. Data obtained from inspections may be disclosed to other members of the office, to law enforcement officials, or in connection with a legal or administrative proceeding commenced to enforce a requirement of law.

Sec. 32. Minnesota Statutes 2014, section 141.32, is amended to read:

141.32 PENALTY.

The commissioner may assess fines for violations of ~~a provision of this chapter~~ sections 141.21 to 141.37. Each day's failure to comply with ~~this chapter~~ sections 141.21 to 141.37 shall be a separate violation and fines shall not exceed \$500 per day per violation. Amounts received under this section must be deposited in the special revenue fund and are appropriated to the office of Higher Education for the purposes of ~~this chapter~~ sections 141.21 to 141.37.

Sec. 33. Minnesota Statutes 2014, section 141.35, is amended to read:

141.35 EXEMPTIONS.

Sections 141.21 to 141.32 shall not apply to the following:

- (1) public postsecondary institutions;
- (2) postsecondary institutions registered under sections 136A.61 to 136A.71;
- (3) private career schools of nursing accredited by the state Board of Nursing or an equivalent public board of another state or foreign country;
- (4) private schools complying with the requirements of section 120A.22, subdivision 4;
- (5) courses taught to students in a valid apprenticeship program taught by or required by a trade union;
- (6) private career schools exclusively engaged in training physically or mentally disabled persons for the state of Minnesota;
- (7) private career schools licensed by boards authorized under Minnesota law to issue licenses except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names;
- (8) private career schools and educational programs, or training programs, contracted for by persons, firms, corporations, government agencies, or associations, for the training of their own employees, for which no fee is charged the employee;

(9) private career schools engaged exclusively in the teaching of purely avocational, recreational, or remedial subjects as determined by the office except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names unless the school used "academy" or "institute" in its name prior to August 1, 2008;

(10) classes, courses, or programs conducted by a bona fide trade, professional, or fraternal organization, solely for that organization's membership;

(11) programs in the fine arts provided by organizations exempt from taxation under section 290.05 and registered with the attorney general under chapter 309. For the purposes of this clause, "fine arts" means activities resulting in artistic creation or artistic performance of works of the imagination which are engaged in for the primary purpose of creative expression rather than commercial sale or employment. In making this determination the office may seek the advice and recommendation of the Minnesota Board of the Arts;

(12) classes, courses, or programs intended to fulfill the continuing education requirements for licensure or certification in a profession, that have been approved by a legislatively or judicially established board or agency responsible for regulating the practice of the profession, and that are offered exclusively to an individual practicing the profession;

(13) classes, courses, or programs intended to prepare students to sit for undergraduate, graduate, postgraduate, or occupational licensing and occupational entrance examinations;

(14) classes, courses, or programs providing 16 or fewer clock hours of instruction that are not part of the curriculum for an occupation or entry level employment except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names;

(15) classes, courses, or programs providing instruction in personal development, modeling, or acting;

(16) training or instructional programs, in which one instructor teaches an individual student, that are not part of the curriculum for an occupation or are not intended to prepare a person for entry level employment;

(17) private career schools with no physical presence in Minnesota, as determined by the office, engaged exclusively in offering distance instruction that are located in and regulated by other states or jurisdictions; and

(18) private career schools providing exclusively training, instructional programs, or courses where tuition, fees, and any other charges for a student to participate do not exceed \$100.

Sec. 34. Minnesota Statutes 2014, section 197.75, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of veterans affairs.

(c) "Deceased veteran" means a veteran who has died as a result of the person's military service, as determined by the United States Veterans Administration, and who was a resident of this state: (1) within six months of entering the United States armed forces, or (2) for the six months preceding the veteran's date of death.

(d) "Eligible child" means a person who:

(1) is the natural or adopted child or stepchild of a deceased veteran; and

(2) is a student making satisfactory academic progress at an eligible institution of higher education.

(e) "Eligible institution" means a postsecondary educational institution located in this state that either (4) is operated by this state or the Board of Regents of the University of Minnesota, or (2) ~~is operated publicly or privately and, as determined by the office, maintains academic standards substantially equivalent to those of comparable institutions operated in this state~~ is licensed or registered with the Office of Higher Education.

(f) "Eligible spouse" means the surviving spouse of a deceased veteran.

(g) "Eligible veteran" means a veteran who:

(1) is a student making satisfactory academic progress at an eligible institution of higher education;

(2) had Minnesota as the person's state of residence at the time of the person's enlistment or any reenlistment into the United States armed forces, as shown by the person's federal form DD-214 or other official documentation to the satisfaction of the commissioner;

(3) except for benefits under this section, has no remaining military or veteran-related educational assistance benefits for which the person may have been entitled; and

(4) while using the educational assistance authorized in this section, remains a resident student as defined in section 136A.101, subdivision 8.

(h) "Satisfactory academic progress" has the meaning given in section 136A.101, subdivision 10.

(i) "Student" has the meaning given in section 136A.101, subdivision 7.

(j) "Veteran" has the meaning given in section 197.447.

Sec. 35. Minnesota Statutes 2014, section 261.23, is amended to read:

261.23 COSTS OF HOSPITALIZATION.

The costs of hospitalization of such indigent persons exclusive of medical and surgical care and treatment shall not exceed in amount the full rates fixed and charged by the Minnesota general hospital ~~under the provisions of sections 158.01 to 158.11~~ for the hospitalization of such indigent patients. For indigent persons hospitalized pursuant to sections 261.21 to 261.232, the state shall pay 90 percent of the cost allowable under the general assistance medical care program and ten percent of the allowable cost of hospitalization shall be paid by the county of the residence of the indigent persons at the times provided for in the contract; and in case of an injury or emergency requiring immediate surgical or medical treatment, for a period not to exceed 72 hours, 90 percent of the cost allowable under the general assistance medical care program shall be paid by the state and ten percent of the cost shall be paid by the county from which the patient, if indigent, is certified. State payments for services rendered pursuant to this section shall be ratably reduced to the same extent and during the same time period as payments are reduced under section 256D.03, subdivision 4, paragraph (c). If the county of residence of the patient is not the county in which the patient has legal settlement for the purposes of poor relief, then the county of residence may seek reimbursement from the county in which the patient has settlement for the purposes of poor relief for all costs it has necessarily incurred and paid in connection with the hospitalization of said patient.

Sec. 36. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall renumber the provisions of Minnesota Statutes listed in Column A to the references listed in Column B. The revisor shall also make necessary cross-reference, grammatical, or terminology changes in Minnesota Statutes and Minnesota Rules consistent with the renumbering, including changing the word "school" to "private career school" wherever the word appears in sections 141.20 to 141.37.

<u>Column A</u>	<u>Column B</u>
<u>141.20</u>	<u>136A.82</u>
<u>141.21</u>	<u>136A.821</u>
<u>141.25</u>	<u>136A.822</u>
<u>141.251</u>	<u>136A.823</u>
<u>141.255</u>	<u>136A.824</u>
<u>141.26</u>	<u>136A.825</u>
<u>141.265</u>	<u>136A.826</u>
<u>141.271</u>	<u>136A.827</u>
<u>141.28</u>	<u>136A.828</u>
<u>141.29</u>	<u>136A.829</u>
<u>141.30</u>	<u>136A.83</u>
<u>141.31</u>	<u>136A.831</u>
<u>141.32</u>	<u>136A.832</u>
<u>141.35</u>	<u>136A.833</u>
<u>141.37</u>	<u>136A.834</u>

Sec. 37. **REPEALER.**

Minnesota Statutes 2014, sections 136A.862; 141.271, subdivisions 4 and 6; 158.01; 158.02; 158.03; 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10; 158.11; and 158.12, are repealed.

ARTICLE 2
POLICY CLARIFICATIONS

Section 1. Minnesota Statutes 2014, section 136A.87, is amended to read:

136A.87 PLANNING INFORMATION FOR POSTSECONDARY EDUCATION.

The office shall make available to all residents beginning in 7th grade through adulthood information about planning and preparing for postsecondary opportunities. Information must be provided to all 7th grade students and their parents annually by September 30 about planning for their postsecondary education. The office may also provide information to high school students and their parents, to adults, and to out-of-school youth. The information provided may include the following:

- (1) the need to start planning early;
- (2) the availability of assistance in educational planning from educational institutions and other organizations;
- (3) suggestions for studying effectively during high school;
- (4) high school courses necessary to be adequately prepared for postsecondary education;
- (5) encouragement to involve parents actively in planning for all phases of education;
- (6) information about postsecondary education and training opportunities existing in the state, their respective missions and expectations for students, their preparation requirements, admission requirements, and student placement;
- (7) ways to evaluate and select postsecondary institutions;

- (8) the process of transferring credits among Minnesota postsecondary institutions and systems;
- (9) the costs of postsecondary education and the availability of financial assistance in meeting these costs, including specific information about the Minnesota Promise ~~and achieve scholarship program~~;
- (10) the interrelationship of assistance from student financial aid, public assistance, and job training programs; and
- (11) financial planning for postsecondary education.

Sec. 2. **REPEALER.**

Minnesota Statutes 2014, section 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 9b, 10, 10a, 11, and 14, are repealed.

ARTICLE 3
POLICY CHANGES

Section 1. Minnesota Statutes 2014, section 136A.65, subdivision 4, is amended to read:

Subd. 4. **Criteria for approval.** (a) A school applying to be registered and to have its degree or degrees and name approved must substantially meet the following criteria:

(1) the school has an organizational framework with administrative and teaching personnel to provide the educational programs offered;

(2) the school has financial resources sufficient to meet the school's financial obligations, including refunding tuition and other charges consistent with its stated policy if the institution is dissolved, or if claims for refunds are made, to provide service to the students as promised, and to provide educational programs leading to degrees as offered;

(3) the school operates in conformity with generally accepted budgeting and accounting principles;

(4) the school provides an educational program leading to the degree it offers;

(5) the school provides appropriate and accessible library, laboratory, and other physical facilities to support the educational program offered;

(6) the school has a policy on freedom or limitation of expression and inquiry for faculty and students which is published or available on request;

(7) the school uses only publications and advertisements which are truthful and do not give any false, fraudulent, deceptive, inaccurate, or misleading impressions about the school, its personnel, programs, services, or occupational opportunities for its graduates for promotion and student recruitment;

(8) the school's compensated recruiting agents who are operating in Minnesota identify themselves as agents of the school when talking to or corresponding with students and prospective students; ~~and~~

(9) the school provides information to students and prospective students concerning:

(i) comprehensive and accurate policies relating to student admission, evaluation, suspension, and dismissal;

(ii) clear and accurate policies relating to granting credit for prior education, training, and experience and for courses offered by the school;

(iii) current schedules of fees, charges for tuition, required supplies, student activities, housing, and all other standard charges;

(iv) policies regarding refunds and adjustments for withdrawal or modification of enrollment status; and

(v) procedures and standards used for selection of recipients and the terms of payment and repayment for any financial aid program; and

(10) the school must not withhold a student's official transcript because the student is in arrears or in default on any loan issued by the school to the student if the loan qualifies as an institutional loan under United States Code, title 11, section 523(a)(8).

(b) An application for degree approval must also include:

(i) title of degree and formal recognition awarded;

(ii) location where such degree will be offered;

(iii) proposed implementation date of the degree;

(iv) admissions requirements for the degree;

(v) length of the degree;

(vi) projected enrollment for a period of five years;

(vii) the curriculum required for the degree, including course syllabi or outlines;

(viii) statement of academic and administrative mechanisms planned for monitoring the quality of the proposed degree;

(ix) statement of satisfaction of professional licensure criteria, if applicable;

(x) documentation of the availability of clinical, internship, externship, or practicum sites, if applicable; and

(xi) statement of how the degree fulfills the institution's mission and goals, complements existing degrees, and contributes to the school's viability.

Sec. 2. Minnesota Statutes 2014, section 141.28, subdivision 6, is amended to read:

Subd. 6. **Financial aid payments.** (a) All schools must collect, assess, and distribute funds received from loans or other financial aid as provided in this subdivision.

(b) Student loans or other financial aid funds received from federal, state, or local governments or administered in accordance with federal student financial assistance programs under title IV of the Higher Education Act of 1965, as amended, United States Code, title 20, chapter 28, must be collected and applied as provided by applicable federal, state, or local law or regulation.

(c) Student loans or other financial aid assistance received from a bank, finance or credit card company, or other private lender must be collected or disbursed as provided in paragraphs (d) and (e).

(d) Loans or other financial aid payments for amounts greater than \$3,000 must be disbursed:

(1) in two equal disbursements, if the term length is more than four months. The loan or payment amounts may be disbursed no earlier than the first day the student attends class with the remainder to be disbursed halfway through the term; or

(2) in three equal disbursements, if the term length is more than six months. The loan or payment amounts may be disbursed no earlier than the first day the student attends class, one-third of the way through the term, and two-thirds of the way through the term.

(e) Loans or other financial aid payments for amounts less than \$3,000 may be disbursed as a single disbursement on the first day a student attends class, regardless of term length.

(f) No school may enter into a contract or agreement with, or receive any money from, a bank, finance or credit card company, or other private lender, unless the private lender follows the requirements for disbursements provided in paragraphs (d) and (e).

(g) No school may withhold an official transcript for arrears or default on any loan made by the school to a student if the loan qualifies as an institutional loan under United States Code, title 11, section 523(a)(8).

Sec. 3. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall make any necessary cross-reference changes in Minnesota Statutes or Minnesota Rules resulting from repealers in this act."

Delete the title and insert:

"A bill for an act relating to higher education; making various technical and policy changes to provisions related to higher education, including provisions related to grants, loans, registration, and various higher education programs; prohibiting certain institutions from limiting access to a student's transcript; modernizing, streamlining, and clarifying various statutes; eliminating unnecessary or redundant laws and rules; deleting obsolete language and unnecessary verbiage; amending Minnesota Statutes 2014, sections 136A.031, subdivision 4; 136A.0411; 136A.61; 136A.63, subdivision 2; 136A.65, subdivisions 4, 7; 136A.657, subdivisions 1, 3; 136A.67; 136A.87; 136G.05, subdivision 7; 141.21, subdivisions 5, 6a, 9; 141.25; 141.251, subdivision 2; 141.255; 141.26; 141.265; 141.271, subdivisions 1a, 1b, 3, 5, 7, 8, 9, 10, 12, 13, 14; 141.28; 141.29; 141.30; 141.32; 141.35; 197.75, subdivision 1; 261.23; repealing Minnesota Statutes 2014, sections 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 9b, 10, 10a, 11, 14; 136A.862; 141.271, subdivisions 4, 6; 158.01; 158.02; 158.03; 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10; 158.11; 158.12."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Sanders from the Committee on Government Operations and Elections Policy to which was referred:

H. F. No. 1694, A bill for an act relating to state government; requiring the legislative auditor to evaluate economic development incentive programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[3.9735] EVALUATION OF ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS.**

Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this section have the meanings given them.

(a) "General incentive" means a state program, statutory provision, or tax expenditure, including tax credits, tax exemptions, tax deductions, grants, or loans, that is intended to encourage businesses to locate, expand, invest, or remain in Minnesota or to hire or retain employees in Minnesota. To be a general incentive, a state program, statutory provision, or tax expenditure must be available to multiple entities, projects, or associated projects or include eligibility criteria with the intent that it will be available to multiple entities, projects, or associated projects.

(b) "Exclusive incentive" means a state program, statutory provision, tax expenditure, or section of a general incentive, including tax credits, tax exemptions, tax deductions, grants, or loans, that is intended to encourage a single specific entity, project, or associated projects to locate, expand, invest, or remain in Minnesota or to hire or retain employees in Minnesota.

Subd. 2. **Selection of general incentives for review; schedule for evaluation; report.** Annually, the legislative auditor shall submit to the Legislative Audit Commission a list of three to five general incentives proposed for review. In selecting general incentives to include on this list, the legislative auditor may consider what the incentive will cost state and local governments in actual spending and foregone revenue currently or projected into the future, the legislature's need for information about a general incentive that has an upcoming expiration date, and the legislature's need for regular information on the results of all major general incentives. Annually, the Legislative Audit Commission will select at least one general incentive for the legislative auditor's evaluation. The legislative auditor will evaluate the selected general incentive or incentives, prepared according to the evaluation plan established under subdivision 4, and submit a written report to the Legislative Audit Commission.

Subd. 3. **Exclusive incentive schedule.** The legislative auditor's schedule shall ensure that at least once every four years the legislative auditor will complete an analysis of best practices for exclusive incentives.

Subd. 4. **Evaluation plans.** By February 1, 2016, the Legislative Audit Commission shall establish evaluation plans that identify elements that the legislative auditor must include in evaluations of a general incentive and an exclusive incentive. The Legislative Audit Commission may modify the evaluation plans as needed.

Sec. 2. Minnesota Statutes 2014, section 3.979, subdivision 3, is amended to read:

Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit, review, program evaluation, best practices review, evaluation of an incentive program or exclusive incentive program under section 3.9735, or investigation. Data relating to an audit are not public or with respect to data on individuals are confidential until the final report of the audit has been released by the legislative auditor or the audit is no longer being actively pursued. Upon release of a final audit report by the legislative auditor, data relating to an audit are public except data otherwise classified as not public.

(b) Data related to an audit but not published in the audit report and that the legislative auditor reasonably believes will be used in litigation are not public and with respect to data on individuals are confidential until the litigation has been completed or is no longer being actively pursued.

(c) Data on individuals that could reasonably be used to determine the identity of an individual supplying data for an audit are private if the data supplied by the individual were needed for an audit and the individual would not have provided the data to the legislative auditor without an assurance that the individual's identity would remain private, or the legislative auditor reasonably believes that the subject would not have provided the data.

(d) The definitions of terms provided in section 13.02 apply for purposes of this subdivision.

Sec. 3. Minnesota Statutes 2014, section 16A.11, is amended by adding a subdivision to read:

Subd. 3d. **Consideration of general incentives.** In supplement to, and under the same deadline as, the governor's budget submission under subdivision 3, the commissioner shall submit a report identifying each general incentive for which an evaluation was completed under section 3.9735 in accordance with this section since the governor's previous budget submission. For each evaluated incentive, the commissioner's report shall include a recommendation for whether the incentive should be continued or modified, or whether the state would be better served by using other incentives or strategies to achieve the incentive's goals. The commissioner's report must include the rationale for each recommendation.

Sec. 4. Minnesota Statutes 2014, section 16A.11, is amended by adding a subdivision to read:

Subd. 3e. **Consideration of best practices for exclusive incentives.** If a new analysis of best practices for exclusive incentives under section 3.9735 has been completed since the governor's previous budget submission, the commissioner's report under subdivision 3d shall include recommendations for when and how Minnesota should offer and manage exclusive incentives in the future and how they should be structured. The commissioner's report must include the rationale for each recommendation.

Sec. 5. **APPROPRIATION.**

\$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the general fund to the Office of the Legislative Auditor for purposes of section 1."

Delete the title and insert:

"A bill for an act relating to state government; requiring the legislative auditor to evaluate economic development incentive programs; requiring reports by the commissioner of management and budget; appropriating money; amending Minnesota Statutes 2014, sections 3.979, subdivision 3; 16A.11, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 3."

With the recommendation that when so amended the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Schomacker from the Committee on Aging and Long-Term Care Policy to which was referred:

H. F. No. 1699, A bill for an act relating to occupational safety; modifying the Safe Patient Handling Act; amending Minnesota Statutes 2014, section 182.6552, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 8, delete "6222110" and insert "622210"

With the recommendation that when so amended the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 4, H. F. No. 1699 was re-referred to the Committee on Rules and Legislative Administration.

Scott from the Committee on Civil Law and Data Practices to which was referred:

H. F. No. 1725, A bill for an act relating to state government; permitting electronic filing for hearings in contested cases at the Office of Administrative Hearings; amending Minnesota Statutes 2014, section 14.58.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 1770, A bill for an act relating to courts; providing for conciliation court jurisdiction to determine claims by a county against a nonresident; amending Minnesota Statutes 2014, section 491A.01, subdivision 3a, by adding a subdivision.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Mack from the Committee on Health and Human Services Reform to which was referred:

H. F. No. 1843, A bill for an act relating to human services; establishing a mobile food shelf grant program; appropriating money for mobile food shelves.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 1884, A bill for an act relating to alcohol; allowing learner's permits for adults as identification for the purchase of alcohol; amending Minnesota Statutes 2014, section 340A.503, subdivision 6.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Anderson, P., from the Committee on Agriculture Policy to which was referred:

H. F. No. 1904, A bill for an act relating to agriculture; appropriating money to the commissioner of agriculture for grants to retail petroleum dispensers.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Agriculture Finance.

The report was adopted.

Anderson, P., from the Committee on Agriculture Policy to which was referred:

H. F. No. 1905, A bill for an act relating to agriculture; establishing a butcher training pilot program.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

Anderson, P., from the Committee on Agriculture Policy to which was referred:

H. F. No. 1944, A bill for an act relating to taxation; property; providing for early termination of an agricultural preserve under certain conditions; amending Minnesota Statutes 2014, section 473H.09.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2014, section 40A.18, subdivision 2, is amended to read:

Subd. 2. **Allowed commercial and industrial operations.** Commercial and industrial operations are not allowed on land within an agricultural preserve except:

(1) small on-farm commercial or industrial operations normally associated with and important to farming in the agricultural preserve area;

(2) storage use of existing farm buildings that does not disrupt the integrity of the agricultural preserve; ~~and~~

(3) small commercial use of existing farm buildings for trades not disruptive to the integrity of the agricultural preserve such as a carpentry shop, small scale mechanics shop, and similar activities that a farm operator might conduct; and

(4) wireless communication installments and related equipment and structure capable of providing technology potentially beneficial to farming activities.

"Existing" in clauses (2) and (3) means existing on August 1, 1989.

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

Page 2, after line 10, insert:

"Sec. 3. Minnesota Statutes 2014, section 473H.17, subdivision 1a, is amended to read:

Subd. 1a. **Allowed commercial and industrial operations.** (a) Commercial and industrial operations are not allowed on land within an agricultural preserve except:

(1) small on-farm commercial or industrial operations normally associated with and important to farming in the agricultural preserve area;

(2) storage use of existing farm buildings that does not disrupt the integrity of the agricultural preserve; ~~and~~

(3) small commercial use of existing farm buildings for trades not disruptive to the integrity of the agricultural preserve such as a carpentry shop, small scale mechanics shop, and similar activities that a farm operator might conduct; and

(4) wireless communication installments and related equipment and structure capable of providing technology potentially beneficial to farming activities.

(b) "Existing" in paragraph (a), clauses (2) and (3), means existing on August 1, 1987.

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "taxation; property;" and insert "agriculture; modifying provisions for allowed commercial and industrial operations on agricultural preserves;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Property Tax and Local Government Finance Division.

The report was adopted.

Anderson, S., from the Committee on State Government Finance to which was referred:

H. F. No. 1974, A bill for an act relating to redistricting; establishing districting principles for legislative and congressional plans; proposing coding for new law in Minnesota Statutes, chapter 2.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 2075, A bill for an act relating to liquor; authorizing an intoxicating liquor license for a municipal athletic complex in St. Cloud.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 4, H. F. No. 2075 was re-referred to the Committee on Rules and Legislative Administration.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 2083, A bill for an act relating to taxation; individual income; allowing a subtraction for student loan principal payments; amending Minnesota Statutes 2014, section 290.01, subdivision 19b.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

H. F. No. 2084, A bill for an act relating to taxation; individual income; allowing a refundable credit for student loan principal and interest payments; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Reported the same back with the following amendments:

Page 2, line 1, delete "individual or the parent of an eligible"

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 2117, A bill for an act relating to economic development; appropriating money for STEP grants.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Garofalo from the Committee on Job Growth and Energy Affordability Policy and Finance to which was referred:

H. F. No. 2118, A bill for an act relating to housing; appropriating money for the Homeless Management Information System.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 177, 236, 291, 439, 607, 654, 805, 840, 980, 1257, 1268, 1314, 1427, 1555 and 1606 were read for the second time.

Thissen moved that the House advance to the order of business Motions and Resolutions.

A roll call was requested and properly seconded.

The question was taken on the Thissen motion and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Johnson, C.	Mahoney	Newton	Slocum
Applebaum	Fischer	Johnson, S.	Marquart	Norton	Sundin
Atkins	Freiberg	Kahn	Masin	Pelowski	Thissen
Bernardy	Halverson	Laine	Melin	Persell	Wagenius
Bly	Hansen	Lenczewski	Metsa	Poppe	Ward
Carlson	Hausman	Lesch	Moran	Rosenthal	Winkler
Clark	Hilstrom	Liebling	Mullery	Schoen	Yarusso
Considine	Hornstein	Lien	Murphy, E.	Schultz	Youakim
Davnie	Hortman	Lillie	Murphy, M.	Selcer	
Dehn, R.	Isaacson	Loeffler	Nelson	Simonson	

Those who voted in the negative were:

Albright	Anderson, S.	Bennett	Daniels	Dettmer	Fabian
Anderson, M.	Baker	Christensen	Dauids	Drazkowski	Fenton
Anderson, P.	Barrett	Cornish	Dean, M.	Erickson	Franson

Garofalo	Howe	Loonan	Nornes	Rarick	Uglen
Green	Johnson, B.	Lucero	O'Driscoll	Runbeck	Urdahl
Gruenhagen	Kelly	Lueck	O'Neill	Sanders	Vogel
Gunther	Kiel	Mack	Peppin	Schomacker	Whelan
Hamilton	Knoblach	McDonald	Petersburg	Scott	Wills
Hancock	Koznick	McNamara	Peterson	Smith	Zerwas
Heintzeman	Kresha	Miller	Pierson	Swedzinski	Spk. Daudt
Hertaus	Lohmer	Nash	Pugh	Theis	
Hoppe	Loon	Newberger	Quam	Torkelson	

The motion did not prevail.

SECOND READING OF HOUSE BILLS, Continued

H. F. Nos. 1625, 1658, 1770, 1884, 1974 and 2118 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1563 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kiel and Marquart introduced:

H. F. No. 2121, A bill for an act relating to education finance; modifying certain facilities funding provisions; creating a long-term facilities maintenance revenue program for certain school districts and educational cooperatives; appropriating money; amending Minnesota Statutes 2014, section 123B.57, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 123B; repealing Minnesota Statutes 2014, section 123B.591.

The bill was read for the first time and referred to the Committee on Education Finance.

Kiel; Marquart; Anderson, P.; Backer and Johnson, C., introduced:

H. F. No. 2122, A bill for an act relating to education finance; creating the Ag2School debt service property tax credit; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 123B.

The bill was read for the first time and referred to the Committee on Education Finance.

McDonald and Barrett introduced:

H. F. No. 2123, A bill for an act relating to telecommunications; appropriating money for a broadband infrastructure economic development demonstration project.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Hortman introduced:

H. F. No. 2124, A bill for an act relating to health; appropriating money to address hepatitis B health-related health disparities.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Hamilton introduced:

H. F. No. 2125, A bill for an act relating to taxation; income and corporate franchise; establishing a workforce housing tax credit; requiring reports; appropriating money; amending Minnesota Statutes 2014, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

The bill was read for the first time and referred to the Committee on Greater Minnesota Economic and Workforce Development Policy.

Zerwas, Hansen, Kiel, Sanders, Smith, Metsa, Schoen, Persell, Kahn, Urdahl, Atkins and Lillie introduced:

H. F. No. 2126, A bill for an act relating to capital investment; appropriating money for Mighty Ducks grants; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2014, section 240A.09.

The bill was read for the first time and referred to the Committee on State Government Finance.

Whelan introduced:

H. F. No. 2127, A bill for an act relating to transportation; capital investment; appropriating money for highway-rail grade separation project in the city of Ramsey; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

McDonald and Gruenhagen introduced:

H. F. No. 2128, A bill for an act relating to local government; prohibiting the imposition of jail time for violation of noncriminal ordinances and charter provisions; amending Minnesota Statutes 2014, sections 365.125, by adding a subdivision; 375.53; 394.37, by adding a subdivision; 410.20; 412.231; 462.362; 609.034.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Urdahl, Hausman, Howe, O'Driscoll and Wagenius introduced:

H. F. No. 2129, A bill for an act relating to capital investment; appropriating money for historic sites and historic preservation, including Historic Fort Snelling; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on State Government Finance.

Mariani introduced:

H. F. No. 2130, A bill for an act relating to a grant to the Minnesota Humanities Commission; appropriating money for a reading program.

The bill was read for the first time and referred to the Committee on State Government Finance.

Nash, Swedzinski, Petersburg, Koznick, Davids, Youakim, O'Neill and Atkins introduced:

H. F. No. 2131, A bill for an act relating to taxation; sales and use; providing a vendor allowance; amending Minnesota Statutes 2014, sections 289A.20, subdivision 4; 297A.77, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 297A.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, S., and Anderson, S., introduced:

H. F. No. 2132, A bill for an act relating to state government; changing the expiration date for the Mississippi River Parkway Commission; amending Minnesota Statutes 2014, section 161.1419, subdivision 8.

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy.

Johnson, S., introduced:

H. F. No. 2133, A bill for an act relating to state government; increasing the complement of the Office of the Revisor of Statutes; appropriating money to maintain and improve information technology services.

The bill was read for the first time and referred to the Committee on State Government Finance.

Knoblach and Theis introduced:

H. F. No. 2134, A bill for an act relating to taxation; sales and use; exempting admissions to certain nonprofit BMX tracks; amending Minnesota Statutes 2014, section 297A.70, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Sundin and Rarick introduced:

H. F. No. 2135, A bill for an act relating to capital investment; appropriating money for capital improvements to the Riverside Center in Moose Lake; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Wagenius and Dehn, R., introduced:

H. F. No. 2136, A bill for an act relating to capital investment; appropriating money for public schools indoor air quality capital improvements; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 123B.

The bill was read for the first time and referred to the Committee on Education Finance.

Lesch, Davids, Metsa, Hoppe, Applebaum and Mahoney introduced:

H. F. No. 2137, A bill for an act relating to economic development; appropriating money for the Minnesota Film and Television Board's Snowbate program.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Fischer, Selcer and Youakim introduced:

H. F. No. 2138, A bill for an act relating to game and fish; prohibiting trapping without written permission on private land that is not posted; amending Minnesota Statutes 2014, section 97B.001, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy.

Moran, Loeffler, Mullery, Bernardy and Freiberg introduced:

H. F. No. 2139, A bill for an act relating to health; appropriating money to evaluate and develop strategies to address menthol-flavored cigarette usage in the African-American community and to develop strategies to address cigarette usage and the harm in that community; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 423, A bill for an act relating to health; eliminating the requirement of a variance for a staff requirement for ambulance services; allowing alternative ambulance staffing in certain areas; allowing a licensed ambulance service in limited areas to accept full mutual aid support on a part-time basis; amending Minnesota Statutes 2014, section 144E.101, subdivisions 6, 12.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 619.

JOANNE M. ZOFF, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 619, A bill for an act relating to data practices; clarifying the protection of addresses in legal proceedings for certain victims of violence; amending Minnesota Statutes 2014, sections 5B.11; 13.03, subdivision 6.

The bill was read for the first time.

Zerwas moved that S. F. No. 619 and H. F. No. 654, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

MOTIONS AND RESOLUTIONS

Rosenthal moved that his name be stricken as an author on H. F. No. 46. The motion prevailed.

Hamilton moved that the name of Hausman be added as an author on H. F. No. 97. The motion prevailed.

Clark moved that the name of Hausman be added as an author on H. F. No. 98. The motion prevailed.

Zerwas moved that the name of Newton be added as an author on H. F. No. 161. The motion prevailed.

Freiberg moved that the name of Hornstein be added as an author on H. F. No. 190. The motion prevailed.

Moran moved that the name of Youakim be added as an author on H. F. No. 212. The motion prevailed.

Hoppe moved that the name of Pugh be added as an author on H. F. No. 346. The motion prevailed.

Davnie moved that the name of Kahn be added as an author on H. F. No. 402. The motion prevailed.

Dettmer moved that the names of Atkins, Hansen, Lillie, Fischer and Erhardt be added as authors on H. F. No. 498. The motion prevailed.

Hamilton moved that the name of Johnson, C., be added as an author on H. F. No. 536. The motion prevailed.

O'Neill moved that the name of Mahoney be added as an author on H. F. No. 551. The motion prevailed.

Albright moved that the name of Newton be added as an author on H. F. No. 560. The motion prevailed.

Baker moved that the name of Atkins be added as an author on H. F. No. 604. The motion prevailed.

Zerwas moved that the name of Newton be added as an author on H. F. No. 658. The motion prevailed.

Cornish moved that the name of Fischer be added as an author on H. F. No. 800. The motion prevailed.

Johnson, B., moved that the name of Fischer be added as an author on H. F. No. 801. The motion prevailed.

Baker moved that the name of Fischer be added as an author on H. F. No. 886. The motion prevailed.

Runbeck moved that the name of Lucero be added as an author on H. F. No. 899. The motion prevailed.

Newberger moved that the name of Metsa be added as an author on H. F. No. 910. The motion prevailed.

Liebling moved that her name be stricken as an author on H. F. No. 967. The motion prevailed.

Hamilton moved that the name of Fischer be added as an author on H. F. No. 1054. The motion prevailed.

Albright moved that the name of Clark be added as an author on H. F. No. 1060. The motion prevailed.

Miller moved that the name of Newton be added as an author on H. F. No. 1061. The motion prevailed.

Thissen moved that the name of Kahn be added as an author on H. F. No. 1093. The motion prevailed.

Melin moved that the name of Kahn be added as an author on H. F. No. 1225. The motion prevailed.

Rosenthal moved that his name be stricken as an author on H. F. No. 1241. The motion prevailed.

Dauids moved that the name of Fischer be added as an author on H. F. No. 1269. The motion prevailed.

Hackbarth moved that the name of Fischer be added as an author on H. F. No. 1354. The motion prevailed.

Mack moved that the name of Lohmer be added as an author on H. F. No. 1443. The motion prevailed.

Uglem moved that the name of Fischer be added as an author on H. F. No. 1477. The motion prevailed.

Rosenthal moved that his name be stricken as an author on H. F. No. 1524. The motion prevailed.

Nash moved that the name of Smith be added as an author on H. F. No. 1544. The motion prevailed.

Gruenhagen moved that the name of Fischer be added as an author on H. F. No. 1559. The motion prevailed.

Fenton moved that the name of Fischer be added as an author on H. F. No. 1616. The motion prevailed.

Fenton moved that the name of Fischer be added as an author on H. F. No. 1617. The motion prevailed.

Baker moved that the name of Lohmer be added as an author on H. F. No. 1634. The motion prevailed.

Norton moved that the name of Fischer be added as an author on H. F. No. 1645. The motion prevailed.

Kelly moved that the names of Mariani and Moran be added as authors on H. F. No. 1676. The motion prevailed.

Mack moved that the name of Newton be added as an author on H. F. No. 1790. The motion prevailed.

Winkler moved that the name of Rosenthal be added as an author on H. F. No. 1861. The motion prevailed.

Green moved that the names of Newton and Dehn, R., be added as authors on H. F. No. 1935. The motion prevailed.

Hausman moved that the name of Mariani be added as an author on H. F. No. 2045. The motion prevailed.

Dean, M., moved that the name of Metsa be added as an author on H. F. No. 2091. The motion prevailed.

Ward moved that the name of Fischer be added as an author on H. F. No. 2098. The motion prevailed.

Mariani moved that the name of Fischer be added as an author on H. F. No. 2099. The motion prevailed.

Lesch moved that the names of Lucero and Fischer be added as authors on H. F. No. 2100. The motion prevailed.

Liebling moved that the names of Applebaum, Ward and Rosenthal be added as authors on H. F. No. 2111. The motion prevailed.

Baker moved that H. F. No. 614 be recalled from the Committee on Job Growth and Energy Affordability Policy and Finance and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

Sanders moved that H. F. No. 840, now on the General Register, be re-referred to the Committee on State Government Finance. The motion prevailed.

McNamara moved that H. F. No. 846 be recalled from the Committee on Agriculture Finance and be re-referred to the Committee on Environment and Natural Resources Policy and Finance. The motion prevailed.

Quam moved that H. F. No. 1271 be recalled from the Committee on Job Growth and Energy Affordability Policy and Finance and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

Torkelson moved that H. F. No. 1781 be recalled from the Committee on Legacy Funding Finance and be re-referred to the Committee on Environment and Natural Resources Policy and Finance. The motion prevailed.

Metsa moved that H. F. No. 1905 be recalled from the Committee on Public Safety and Crime Prevention Policy and Finance and be re-referred to the Committee on Agriculture Finance. The motion prevailed.

Schoen moved that H. F. No. 1988 be recalled from the Committee on Health and Human Services Reform and be re-referred to the Committee on State Government Finance. The motion prevailed.

Christensen moved that H. F. No. 2047 be recalled from the Committee on Education Innovation Policy and be re-referred to the Committee on Education Finance. The motion prevailed.

The Speaker assumed the Chair.

MOTION TO SUSPEND RULES

Marquart moved that the rules of the House be so far suspended that H. F. No. 2018 be recalled from the Committee on Transportation Policy and Finance, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

Considine was excused for the remainder of today's session.

The question was taken on the Marquart motion and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Allen	Fischer	Johnson, S.	Mariani	Newton	Slocum
Applebaum	Freiberg	Kahn	Marquart	Norton	Sundin
Atkins	Halverson	Laine	Masin	Pelowski	Thissen
Bernardy	Hansen	Lenczewski	Melin	Persell	Wagenius
Bly	Hausman	Lesch	Metsa	Pinto	Ward
Carlson	Hilstrom	Liebling	Moran	Poppe	Winkler
Clark	Hornstein	Lien	Mullery	Rosenthal	Yarusso
Davnie	Hortman	Lillie	Murphy, E.	Schoen	Youakim
Dehn, R.	Isaacson	Loeffler	Murphy, M.	Schultz	
Erhardt	Johnson, C.	Mahoney	Nelson	Selcer	

Those who voted in the negative were:

Albright	Dettmer	Heintzeman	Loonan	Peppin	Smith
Anderson, M.	Drazkowski	Hertaus	Lucero	Petersburg	Swedzinski
Anderson, P.	Erickson	Hoppe	Lueck	Peterson	Theis
Anderson, S.	Fabian	Howe	Mack	Pierson	Torkelson
Baker	Fenton	Johnson, B.	McDonald	Pugh	Uglen
Barrett	Franson	Kelly	McNamara	Quam	Urdahl
Bennett	Garofalo	Kiel	Miller	Rarick	Vogel
Christensen	Green	Knoblach	Nash	Runbeck	Whelan
Cornish	Gruenhagen	Koznick	Newberger	Sanders	Wills
Daniels	Gunther	Kresha	Nornes	Schomacker	Zerwas
Davids	Hamilton	Lohmer	O'Driscoll	Scott	Spk. Daudt
Dean, M.	Hancock	Loon	O'Neill	Simonson	

The motion did not prevail.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, April 7, 2015. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, April 7, 2015.

PATRICK D. MURPHY, Chief Clerk, House of Representatives