

## STATE OF MINNESOTA

## EIGHTY-NINTH SESSION — 2016

## SEVENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 30, 2016

The House of Representatives convened at 12:15 p.m. and was called to order by Kurt Daudt, Speaker of the House.

Prayer was offered by the Reverend Ralph Olsen, First Lutheran Church, St. Paul, 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	Dean, M.	Hertaus	Loon	O'Driscoll	Smith
Allen	Dehn, R.	Hilstrom	Loonan	O'Neill	Sundin
Anderson, C.	Dettmer	Hoppe	Lucero	Pelowski	Swedzinski
Anderson, M.	Drazkowski	Hornstein	Lueck	Peppin	Theis
Anderson, P.	Ecklund	Hortman	Mack	Persell	Thissen
Anderson, S.	Erhardt	Howe	Mahoney	Petersburg	Torkelson
Anzlec	Erickson	Isaacson	Mariani	Peterson	Uglem
Applebaum	Fabian	Johnson, B.	Marquart	Pierson	Urdahl
Backer	Fenton	Johnson, C.	Masin	Pinto	Vogel
Baker	Fischer	Johnson, S.	McDonald	Poppe	Wagenius
Barrett	Franson	Kahn	McNamara	Quam	Ward
Bennett	Freiberg	Kiel	Metsa	Rarick	Whelan
Bernardy	Garofalo	Knoblach	Miller	Rosenthal	Wills
Bly	Green	Koznick	Mullery	Runbeck	Yarusso
Carlson	Gruenhagen	Kresha	Murphy, E.	Sanders	Youakim
Christensen	Gunther	Laine	Murphy, M.	Schoen	Zerwas
Clark	Hackbarth	Lesch	Nash	Schomacker	Spk. Daudt
Considine	Halverson	Liebling	Nelson	Schultz	
Cornish	Hancock	Lien	Newberger	Scott	
Daniels	Hansen	Lillie	Newton	Selcer	
Davids	Hausman	Loeffler	Nornes	Simonson	
Davnie	Heintzman	Lohmer	Norton	Slocum	

A quorum was present.

Atkins, Flanagan, Hamilton, Kelly, Melin, Moran and Pugh were excused.

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 STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 200, A bill for an act relating to civil law; enacting the Uniform Fiduciary Access to Digital Assets Act; proposing coding for new law as Minnesota Statutes, chapter 521A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[521A.01] SHORT TITLE.**

This chapter may be cited as the "Revised Uniform Fiduciary Access to Digital Assets Act."

Sec. 2. **[521A.02] DEFINITIONS.**

Subdivision 1. **Applicability.** The definitions in this section apply to this chapter.

Subd. 2. **Account.** "Account" means an arrangement under a terms-of-service agreement in which a custodian carries, maintains, processes, receives, or stores a digital asset of the user or provides goods or services to the user.

Subd. 3. **Agent.** "Agent" means an attorney-in-fact granted authority under a durable or nondurable power of attorney.

Subd. 4. **Carries.** "Carries" means engages in the transmission of an electronic communication.

Subd. 5. **Catalog of electronic communications.** "Catalog of electronic communications" means information that identifies each person with which a user has had an electronic communication, the time and date of the communication, and the electronic address of the person.

Subd. 6. **Conservator.** "Conservator" means a person appointed by a court to manage the estate of a living individual. The term includes a limited conservator, or unlimited under section 524.5-401.

Subd. 7. **Content of an electronic communication.** "Content of an electronic communication" means information concerning the substance or meaning of the communication that:

(1) has been sent or received by a user;

(2) is in electronic storage by a custodian providing an electronic communication service to the public or is carried or maintained by a custodian providing a remote computing service to the public; and

(3) is not readily accessible to the public.

Subd. 8. **Court.** "Court" has the meaning given in section 524.1-201, clause (9).

Subd. 9. **Custodian.** "Custodian" means a person that carries, maintains, processes, receives, or stores a digital asset of a user.

Subd. 10. **Designated recipient.** "Designated recipient" means a person chosen by a user using an online tool to administer digital assets of the user.

Subd. 11. **Digital asset.** "Digital asset" means an electronic record in which an individual has a right or interest. The term does not include an underlying asset or liability unless the asset or liability is itself an electronic record.

Subd. 12. **Electronic.** "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

Subd. 13. **Electronic communication.** "Electronic communication" has the meaning given in United States Code, title 18, section 2510(12), as amended.

Subd. 14. **Electronic communication service.** "Electronic communication service" means a custodian that provides to a user the ability to send or receive an electronic communication.

Subd. 15. **Fiduciary.** "Fiduciary" means an original, additional, or successor personal representative, conservator, agent, or trustee.

Subd. 16. **Information.** "Information" means data, text, images, videos, sounds, codes, computer programs, software, databases, or similar material.

Subd. 17. **Online tool.** "Online tool" means an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person.

Subd. 18. **Person.** "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or other legal entity.

Subd. 19. **Personal representative.** "Personal representative" has the meaning given in section 524.1-201.

Subd. 20. **Power of attorney.** "Power of attorney" means a record that grants an agent authority to act in the place of a principal, under chapter 523.

Subd. 21. **Principal.** "Principal" means an individual who grants authority to an agent in a power of attorney.

Subd. 22. **Protected person.** "Protected person" means an individual for whom a conservator has been appointed. The term includes an individual for whom an application for the appointment of a conservator is pending.

Subd. 23. **Record.** "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Subd. 24. **Remote computing service.** "Remote computing service" means a custodian that provides to a user computer processing services or the storage of digital assets by means of an electronic communications system, as defined in United States Code, title 18, section 2510(14), as amended.

Subd. 25. **Terms-of-service agreement.** "Terms-of-service agreement" means an agreement that controls the relationship between a user and a custodian.

Subd. 26. **Trustee.** "Trustee" means a fiduciary with legal title to property under an agreement or declaration that creates a beneficial interest in another. The term includes a successor trustee.

Subd. 27. **User.** "User" means a person that has an account with a custodian.

Subd. 28. **Will.** "Will" includes a codicil, testamentary instrument that only appoints an executor, and an instrument that revokes or revises a testamentary instrument.

**Sec. 3. [521A.03] APPLICABILITY.**

(a) This chapter applies to:

- (1) a fiduciary acting under a will or power of attorney;
- (2) a personal representative acting for a decedent;
- (3) a conservatorship proceeding; and
- (4) a trustee acting under a trust.

(b) This chapter applies to a custodian if the user resides in this state or resided in this state at the time of the user's death.

(c) This chapter does not apply to a digital asset of an employer used by an employee in the ordinary course of the employer's business.

**Sec. 4. [521A.04] USER DIRECTION FOR DISCLOSURE OF DIGITAL ASSETS.**

(a) A user may use an online tool to direct the custodian to disclose to a designated recipient or not to disclose some or all of the user's digital assets, including the content of electronic communications. If the online tool allows the user to modify or delete a direction at all times, a direction regarding disclosure using an online tool overrides a contrary direction by the user in a will, trust, power of attorney, or other record.

(b) If a user has not used an online tool to give direction under paragraph (a) or if the custodian has not provided an online tool, the user may allow or prohibit in a will, trust, power of attorney, or other record disclosure to a fiduciary of some or all of the user's digital assets, including the content of electronic communications sent or received by the user.

(c) A user's direction under paragraph (a) or (b) overrides a contrary provision in a terms-of-service agreement that does not require the user to act affirmatively and distinctly from the user's assent to the terms of service.

**Sec. 5. [521A.05] TERMS-OF-SERVICE AGREEMENT.**

(a) This chapter does not change or impair a right of a custodian or a user under a terms-of-service agreement to access and use digital assets of the user.

(b) This chapter does not give a fiduciary or designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(c) A fiduciary's or designated recipient's access to digital assets may be modified or eliminated by a user, by federal law, or by a terms-of-service agreement if the user has not provided direction under section 521A.04.

**Sec. 6. [521A.06] PROCEDURE FOR DISCLOSING DIGITAL ASSETS.**

(a) When disclosing digital assets of a user under this chapter, the custodian may, at its sole discretion:

(1) grant a fiduciary or designated recipient full access to the user's account;

(2) grant a fiduciary or designated recipient partial access to the user's account sufficient to perform the tasks with which the fiduciary or designated recipient is charged; or

(3) provide a fiduciary or designated recipient a copy in a record of any digital asset that, on the date the custodian received the request for disclosure, the user could have accessed if the user were alive and had full capacity and access to the account.

(b) A custodian may assess a reasonable administrative charge for the cost of disclosing digital assets under this chapter.

(c) A custodian need not disclose under this chapter a digital asset deleted by a user.

(d) If a user directs or a fiduciary requests a custodian to disclose under this chapter some, but not all, of the user's digital assets, the custodian need not disclose the assets if segregation of the assets would impose an undue burden on the custodian. If the custodian believes the direction or request imposes an undue burden, the custodian or fiduciary may seek an order from the court to disclose:

(1) a subset limited by date of the user's digital assets;

(2) all of the user's digital assets to the fiduciary or designated recipient;

(3) none of the user's digital assets; or

(4) all of the user's digital assets to the court for review in chambers.

**Sec. 7. [521A.07] DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS OF DECEASED USER.**

If a deceased user consented or a court directs disclosure of the content of an electronic communication of the user, the custodian shall disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user if the representative gives the custodian:

(1) a written request for disclosure in physical or electronic form;

(2) a certified copy of the death certificate of the user;

(3) a certified copy of the letter of appointment of the representative, court order, or Affidavit of Collection of Personal Property executed under section 524.3-1201;

(4) unless the user provided direction using an online tool, a copy of the user's will, trust, power of attorney, or other record evidencing the user's consent to disclosure of the content of electronic communications; and

(5) if requested by the custodian:

(i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(ii) evidence linking the account to the user; or

(iii) a finding by the court that:

(A) the user had a specific account with the custodian, identifiable by the information specified in item (i);

(B) disclosure of the content of electronic communications of the user would not violate United States Code, title 18, section 2701 et seq., as amended; United States Code, title 47, section 222, as amended; or other applicable law;

(C) unless the user provided direction using an online tool, the user consented to disclosure of the content of electronic communications; or

(D) disclosure of the content of electronic communications of the user is reasonably necessary for administration of the estate.

**Sec. 8. [521A.08] DISCLOSURE OF OTHER DIGITAL ASSETS OF DECEASED USER.**

Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalog of electronic communications sent or received by the user and digital assets, other than the content of electronic communications, of the user if the representative gives the custodian:

(1) a written request for disclosure in physical or electronic form;

(2) a certified copy of the death certificate of the user;

(3) a certified copy of the letter of appointment of the representative, court order, or Affidavit of Collection of Personal Property executed under section 524.3-1201; and

(4) if requested by the custodian:

(i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(ii) evidence linking the account to the user;

(iii) an affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or

(iv) a finding by the court that:

(A) the user had a specific account with the custodian, identifiable by the information specified in item (i); or

(B) disclosure of the user's digital assets is reasonably necessary for administration of the estate.

Sec. 9. **[521A.09] DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS OF PRINCIPAL.**

To the extent a power of attorney expressly grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content if the agent gives the custodian:

- (1) a written request for disclosure in physical or electronic form;
- (2) an original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;
- (3) a certification by the agent, under penalty of perjury, that the power of attorney is in effect; and
- (4) if requested by the custodian:
  - (i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or
  - (ii) evidence linking the account to the principal.

Sec. 10. **[521A.10] DISCLOSURE OF OTHER DIGITAL ASSETS OF PRINCIPAL.**

Unless otherwise ordered by the court, directed by the principal, or provided by a power of attorney, a custodian shall disclose to an agent with specific authority over digital assets or general authority to act on behalf of a principal a catalog of electronic communications sent or received by the principal and digital assets, other than the content of electronic communications, of the principal if the agent gives the custodian:

- (1) a written request for disclosure in physical or electronic form;
- (2) an original or a copy of the power of attorney that gives the agent specific authority over digital assets or general authority to act on behalf of the principal;
- (3) a certification by the agent, under penalty of perjury, that the power of attorney is in effect; and
- (4) if requested by the custodian:
  - (i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or
  - (ii) evidence linking the account to the principal.

Sec. 11. **[521A.11] DISCLOSURE OF DIGITAL ASSETS HELD IN TRUST WHEN TRUSTEE IS ORIGINAL USER.**

Unless otherwise ordered by the court or provided in a trust, a custodian shall disclose to a trustee that is an original user of an account any digital asset of the account held in trust, including a catalog of electronic communications of the trustee and the content of electronic communications.

**Sec. 12. [521A.12] DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS HELD IN TRUST WHEN TRUSTEE NOT ORIGINAL USER.**

Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained, processed, received, or stored by the custodian in the account of the trust if the trustee gives the custodian:

- (1) a written request for disclosure in physical or electronic form;
- (2) a certified copy of the trust instrument or a certification of the trust under section 501C.1013 that includes consent to disclosure of the content of electronic communications to the trustee;
- (3) a certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and
- (4) if requested by the custodian:
  - (i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or
  - (ii) evidence linking the account to the trust.

**Sec. 13. [521A.13] DISCLOSURE OF OTHER DIGITAL ASSETS HELD IN TRUST WHEN TRUSTEE NOT ORIGINAL USER.**

Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account a catalog of electronic communications sent or received by an original or successor user and stored, carried, or maintained by the custodian in an account of the trust and any digital assets, other than the content of electronic communications, in which the trust has a right or interest if the trustee gives the custodian:

- (1) a written request for disclosure in physical or electronic form;
- (2) a certified copy of the trust instrument or a certification of the trust under section 501C.1013;
- (3) a certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and
- (4) if requested by the custodian:
  - (i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or
  - (ii) evidence linking the account to the trust.

**Sec. 14. [521A.14] DISCLOSURE OF DIGITAL ASSETS TO CONSERVATOR OF PROTECTED PERSON.**

- (a) After an opportunity for a hearing under chapter 524, the court may grant a conservator access to the digital assets of a protected person.

(b) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a conservator the catalog of electronic communications sent or received by a protected person and any digital assets, other than the content of electronic communications, in which the protected person has a right or interest if the conservator gives the custodian:

(1) a written request for disclosure in physical or electronic form;

(2) a certified copy of the court order that gives the conservator authority over the digital assets of the protected person; and

(3) if requested by the custodian:

(i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the protected person; or

(ii) evidence linking the account to the protected person.

(c) A conservator with general authority to manage the assets of a protected person may request a custodian of the digital assets of the protected person to suspend or terminate an account of the protected person for good cause. A request made under this section must be accompanied by a certified copy of the court order giving the conservator authority over the protected person's property.

**Sec. 15. [521A.15] FIDUCIARY DUTY AND AUTHORITY.**

(a) The legal duties imposed on a fiduciary charged with managing tangible property apply to the management of digital assets, including:

(1) the duty of care;

(2) the duty of loyalty; and

(3) the duty of confidentiality.

(b) A fiduciary's or designated recipient's authority with respect to a digital asset of a user:

(1) except as otherwise provided in section 521A.04, is subject to the applicable terms of service;

(2) is subject to other applicable law, including copyright law;

(3) in the case of a fiduciary, is limited by the scope of the fiduciary's duties; and

(4) may not be used to impersonate the user.

(c) A fiduciary with authority over the property of a decedent, protected person, principal, or settlor has the right to access any digital asset in which the decedent, protected person, principal, or settlor had a right or interest and that is not held by a custodian or subject to a terms-of-service agreement.

(d) A fiduciary acting within the scope of the fiduciary's duties is an authorized user of the property of the decedent, protected person, principal, or settlor for the purpose of applicable computer fraud and unauthorized computer access laws, including section 609.891.

(e) A fiduciary with authority over the tangible personal property of a decedent, protected person, principal, or settlor:

(1) has the right to access the property and any digital asset stored in it; and

(2) is an authorized user for the purpose of computer fraud and unauthorized computer access laws, including section 609.891.

(f) A custodian may disclose information in an account to a fiduciary of the user when the information is required to terminate an account used to access digital assets licensed to the user.

(g) A fiduciary of a user may request a custodian to terminate the user's account. A request for termination must be in writing, in either physical or electronic form, and accompanied by:

(1) if the user is deceased, a certified copy of the death certificate of the user;

(2) a certified copy of the letter of appointment of the representative or a small estate affidavit or court order, court order, power of attorney, or trust giving the fiduciary authority over the account; and

(3) if requested by the custodian:

(i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(ii) evidence linking the account to the user; or

(iii) a finding by the court that the user had a specific account with the custodian, identifiable by the information specified in item (i).

**Sec. 16. [521A.16] CUSTODIAN COMPLIANCE AND IMMUNITY.**

(a) Not later than 60 days after receipt of the information required under sections 521A.07 to 521A.15, a custodian shall comply with a request under this chapter from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

(b) An order under paragraph (a) directing compliance must contain a finding that compliance is not in violation of United States Code, title 18, section 2702, as amended.

(c) A custodian may notify the user that a request for disclosure or to terminate an account was made under this chapter.

(d) A custodian may deny a request under this chapter from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

(e) This chapter does not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under this chapter to obtain a court order which:

(1) specifies that an account belongs to the protected person or principal;

(2) specifies that there is sufficient consent from the protected person or principal to support the requested disclosure; and

(3) contains a finding required by law other than this chapter.

(f) A custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with this chapter.

**Sec. 17. [521A.17] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

**Sec. 18. [521A.18] RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT.**

This chapter modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, United States Code, title 15, section 7001 et seq., but does not modify, limit, or supersede section 101(c) of that act, United States Code, title 15, section 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, United States Code, title 15, section 7003(b).

**Sec. 19. [521A.19] SEVERABILITY.**

If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

**Sec. 20. EFFECTIVE DATE.**

Sections 1 to 19 apply to fiduciaries acting under a governing instrument executed before, on, or after August 1, 2016."

Amend the title as follows:

Page 1, line 2, after "the" insert "Revised"

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. 978, A bill for an act relating to health professions; licensing genetic counselors; proposing coding for new law as Minnesota Statutes, chapter 147F.

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.

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

H. F. No. 1333, A bill for an act relating to civil law; allowing for termination of awards based on the cohabitation of the obligee; amending Minnesota Statutes 2014, section 518A.39, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 518.552, is amended by adding a subdivision to read:

Subd. 6. Cohabitation. Spousal maintenance may be modified pursuant to section 518A.39, subdivision 2, based on the maintenance obligee's cohabitation with another adult following dissolution of the parties' marriage. The modification may consist of a reduction, suspension, reservation, or termination of maintenance. In determining if maintenance should be modified due to cohabitation, the court shall consider:

- (1) whether the maintenance obligee would have married their cohabitant but for the maintenance award;
- (2) the economic benefit the maintenance obligee derives from the cohabitation;
- (3) the length of the cohabitation and the likely future duration of the cohabitation;
- (4) the economic impact on the maintenance obligee if maintenance was terminated and the cohabitation ended; and
- (5) whether the order providing for payment of maintenance was issued pursuant to a binding stipulation and the terms of that stipulation.

There shall be a presumption against modifying the maintenance award based solely on the cohabitation if the cohabitant is one of the individuals listed in section 517.03, subdivision 1. A requested modification based on this subdivision shall be subject to being precluded or limited if jurisdiction to modify is lacking due to the parties having entered into a private agreement governed by section 518.552, subdivision 5. No motion to modify a spousal maintenance award on the basis of cohabitation may be brought within one year of the date of entry of a decree of dissolution or legal separation that orders spousal maintenance, unless the parties have agreed a modification can be brought by written agreement or the court finds that failing to allow the motion to proceed creates an extreme hardship for one of the parties."

Amend the title as follows:

Page 1, line 2, delete "termination of awards" and insert "modification of spousal maintenance"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

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

H. F. No. 1674, A bill for an act relating to state government; modifying procedures for creation, annexation, detachment, and dissolution of sanitary districts; modifying filing and hearing requirements; amending Minnesota Statutes 2014, sections 442A.04, subdivisions 2, 3, 8, 9; 442A.05, subdivisions 2, 4, 9, 10; 442A.06, subdivisions 2, 4, 9, 10; 442A.07, subdivisions 2, 3, 8, 9; 442A.08; 442A.13, subdivision 1.

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. 2014, A bill for an act relating to transportation; providing for appeal process for denial or revocation of driveway permit by commissioner of transportation; amending Minnesota Statutes 2014, section 160.18, by adding a subdivision.

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.

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

H. F. No. 2072, A bill for an act relating to titling; providing for transfer-on-death of title to watercraft and motor vehicles; exempting transfer from motor vehicle sales tax; amending Minnesota Statutes 2014, sections 246.53, subdivision 1; 256B.15, subdivision 1a; 261.04, subdivision 1; 297B.01, subdivision 16; proposing coding for new law in Minnesota Statutes, chapters 86B; 168A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources Policy and Finance.

The report was adopted.

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

H. F. No. 2344, A bill for an act relating to health; regulating the practice of orthotics, prosthetics, and pedorthics; requiring licensure; establishing fees; proposing coding for new law as Minnesota Statutes, chapter 153B.

Reported the same back with the following amendments:

Page 1, line 21, before "means" insert "or "assistant""

Page 2, line 5, before "means" insert "or "fitter""

Page 11, delete section 15 and insert:

"Sec. 15. **[153B.80] UNLICENSED PRACTICE.**

Subdivision 1. License required. Effective January 1, 2018, no individual shall practice as an orthotist, prosthetist, prosthetist orthotist, pedorthist, orthotic-prosthetic assistant, or orthotic fitter, unless the individual holds a valid license issued by the board under this chapter, except as permitted under section 153B.20 or 153B.35.

Subd. 2. Designation. No individual shall represent themselves to the public as a licensed orthotist, prosthetist, prosthetist orthotist, pedorthist, orthotic-prosthetic assistant, or an orthotic fitter, unless the individual is licensed under this chapter.

Subd. 3. Penalties. Any individual who violates this section is guilty of a misdemeanor. The board shall have the authority to seek a cease and desist order against any individual who is engaged in the unlicensed practice of a profession regulated by the board under this chapter."

Page 12, delete lines 9 to 11 and insert:

"(d) For the first renewal period following initial licensure, the renewal fee is the fee specified in paragraph (b) or (c), prorated to the nearest dollar that is represented by the ratio of the number of days the license is held in the initial licensure period to 730 days."

Page 12, after line 16, insert:

"(i) No fee may be refunded for any reason."

Page 12, line 18, delete "January 1, 2017" and insert "July 1, 2016"

With the recommendation that when so amended the bill be re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

The report was adopted.

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

H. F. No. 2345, A bill for an act relating to health occupations; establishing a tiered registry system for spoken language health care interpreters; appropriating money; amending Minnesota Statutes 2014, section 256B.0625, subdivision 18a; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2014, section 144.058.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

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

H. F. No. 2540, A bill for an act relating to commerce; authorizing fantasy sports; amending Minnesota Statutes 2014, sections 297E.03, by adding a subdivision; 541.20; 541.21; 609.761, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 1, line 12, delete "fantasy games" and insert "a fantasy game"

Page 1, line 19, after "operator" insert "employee" and delete "a person" and insert "the game operator"

Page 3, line 24, delete "statistical results of the performance of individuals are" and insert "result of a fantasy game is"

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.

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

H. F. No. 2585, A bill for an act relating to local government; requiring a two-thirds vote to impose an interim ordinance; requiring a public hearing after 30-day notice before imposing an interim ordinance relating to housing; amending Minnesota Statutes 2014, section 462.355, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 23, delete "30-day" and insert "ten-day"

Amend the title as follows:

Page 1, line 3, delete "30-day" and insert "ten-day"

With the recommendation that when so amended 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. 2602, A bill for an act relating to data practices; restricting use of private and nonpublic data to only those purposes authorized by law; amending Minnesota Statutes 2014, section 13.03, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 13.03, is amended by adding a subdivision to read:

Subd. 13. Access to private data. (a) Unless the data subject has otherwise provided consent, a person who is not the subject of private or nonpublic data but is authorized to access that data for a purpose expressed by state or federal law:

(1) may only request and use the data for that purpose; and

(2) may not further disseminate the data to another person except for purposes expressly authorized by law.

(b) Prior to dissemination of private or nonpublic data to a person who is not a subject of the data, a government entity must require the requesting person to certify, in writing, that the data will only be used for an authorized purpose, if authorized purposes are expressly provided by law. This paragraph does not apply to requests for access to data made on behalf of a government entity.

(c) The remedies provided in sections 13.08 and 13.09 apply to any person who uses or disseminates data in violation of this subdivision. A government entity is not subject to civil or criminal liability for a violation of paragraph (a), if it has complied with the requirements of paragraph (b)."

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. 2740, A bill for an act relating to human services; creating a permanent child support task force; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 518A.

Reported the same back with the following amendments:

Page 1, line 23, after "matters" insert ", appointed by the chief justice of the Supreme Court"

Page 2, line 9, delete "Public"

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.

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

H. F. No. 2741, A bill for an act relating to public safety; creating a civil cause of action for the nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; amending the crime of stalking to include nonconsensual sexual solicitation; expanding the definition of qualified domestic violence-related offense; establishing criminal penalties for nonconsensual dissemination of private sexual images and nonconsensual sexual

solicitation; clarifying the law of criminal defamation; amending Minnesota Statutes 2014, sections 609.02, subdivision 16; 609.748, subdivision 1; 609.749, subdivision 2; 609.765; proposing coding for new law in Minnesota Statutes, chapters 604; 617.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[604.30] DEFINITIONS.**

(a) For the purposes of sections 604.30 and 604.31, the following terms have the meanings given.

(b) "Dissemination" means distribution to one or more persons, other than the person who is depicted in the image, or publication by any publicly available medium.

(c) "Image" means a photograph, film, video recording, or digital photograph or recording.

(d) "Intimate parts" means genitals, pubic area, or anus of an individual, or if the individual is female, a partially or fully exposed nipple.

(e) "Personal information" includes any identifier that permits physical contact or communication with the person depicted in the image, including:

(1) the person's first and last name, first initial and last name, or first name and last initial;

(2) the person's home, school, or work address;

(3) the person's telephone number, e-mail address, or social media account information; or

(4) the person's geolocation data.

(f) "Sexual act" means either sexual contact or sexual penetration.

(g) "Sexual contact" means the intentional touching of another's intimate parts or intentional touching with seminal fluid or sperm onto another person's body.

(h) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network, that allows users to create, share, and view user-generated content.

(i) "Sexual penetration" means any of the following acts:

(1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

(2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

**Sec. 2. [604.31] CAUSE OF ACTION FOR NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES; SEXUAL SOLICITATION.**

**Subdivision 1. Nonconsensual dissemination of private sexual images.** (a) A cause of action against a person for the nonconsensual dissemination of private sexual images exists when:

- (1) a person disseminated an image without the consent of the person depicted in the image;
- (2) the image is of an individual engaged in a sexual act or whose intimate parts are exposed in whole or in part;
- (3) the person is identifiable:
- (i) from the image itself, by the person depicted in the image or by another person; or
- (ii) from the personal information displayed in connection with the image; and
- (4) the image was obtained or created under circumstances in which a reasonable person would know or understand that the image was to remain private.

(b) The fact that the individual depicted in the image consented to the creation of the image or to the voluntary private transmission of the image is not a defense to liability for a person who has disseminated the image without consent.

**Subd. 2. Nonconsensual sexual solicitation.** A person who uses the personal information of another to invite, encourage, or solicit sexual acts without the individual's consent and knows or has reason to know it will cause the person whose personal information is used to feel harassed, frightened, threatened, oppressed, persecuted, or intimidated, is liable for damages to the individual whose personal information was published or disseminated publicly.

**Subd. 3. Damages.** The court may award the following damages to a prevailing plaintiff from a person found liable under subdivision 1 or 2:

- (1) general and special damages, including all financial losses due to the dissemination of the image and damages for mental anguish;
- (2) an amount equal to any profit made from the dissemination of the image by the person who intentionally disclosed the image;
- (3) a civil penalty awarded to the plaintiff of an amount up to \$10,000; and
- (4) court costs, fees, and reasonable attorney fees.

**Subd. 4. Injunction; temporary relief.** (a) A court may issue a temporary or permanent injunction or restraining order to prevent further harm to the plaintiff.

(b) The court may issue a civil fine for the violation of a court order in an amount up to \$1,000 per day for failure to comply with an order granted under this section.

**Subd. 5. Confidentiality.** The court shall allow confidential filings to protect the privacy of the plaintiff in cases filed under this section.

**Subd. 6. Liability; exceptions.** (a) No person shall be found liable under this section when:

- (1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;
- (2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical treatment, and the image is protected from further distribution;

(4) the image involves voluntary exposure in a public or was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display;

(5) the image relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and is consistent with common practice in civil proceedings, necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

(b) This section does not alter or amend the liabilities and protections granted by United States Code, title 47, section 230, and shall be construed in a manner consistent with federal law.

(c) A cause of action arising under this section does not prevent the use of any other cause of action or remedy available under the law.

Subd. 7. **Jurisdiction.** A court has jurisdiction over a cause of action filed pursuant to this section if the plaintiff or respondent resides in this state.

Subd. 8. **Venue.** A cause of action arising under this section may be filed in either:

(1) the county of residence of the respondent or plaintiff or in the jurisdiction of the plaintiff's designated address if the plaintiff participates in the address confidentiality program established by chapter 5B; or

(2) the county where any image is produced, reproduced, or stored in violation of this section.

Subd. 9. **Discovery of dissemination.** In a civil action brought under subdivision 1, the statute of limitations is tolled until the plaintiff discovers the image has been disseminated.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to causes of action commenced on or after that date.

Sec. 3. Minnesota Statutes 2014, section 609.02, subdivision 16, is amended to read:

Subd. 16. **Qualified domestic violence-related offense.** "Qualified domestic violence-related offense" includes a violation of or an attempt to violate sections 518B.01, subdivision 14 (violation of domestic abuse order for protection); 609.185 (first-degree murder); 609.19 (second-degree murder); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.342 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.377 (malicious punishment of a child); 609.713 (terroristic threats); 609.748, subdivision 6 (violation of harassment restraining order); 609.749 (stalking); 609.78, subdivision 2 (interference with an emergency call); 617.261 (nonconsensual dissemination of private sexual images); and 629.75 (violation of domestic abuse no contact order); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 4. Minnesota Statutes 2014, section 609.27, subdivision 1, is amended to read:

**Subdivision 1. *Acts constituting.*** Whoever orally or in writing makes any of the following threats and thereby causes another against the other's will to do any act or forbear doing a lawful act is guilty of coercion and may be sentenced as provided in subdivision 2:

(1) a threat to unlawfully inflict bodily harm upon, or hold in confinement, the person threatened or another, when robbery or attempt to rob is not committed thereby; or

(2) a threat to unlawfully inflict damage to the property of the person threatened or another; or

(3) a threat to unlawfully injure a trade, business, profession, or calling; or

(4) a threat to expose a secret or deformity, publish a defamatory statement, or otherwise to expose any person to disgrace or ridicule; ~~or~~

(5) a threat to make or cause to be made a criminal charge, whether true or false; provided, that a warning of the consequences of a future violation of law given in good faith by a peace officer or prosecuting attorney to any person shall not be deemed a threat for the purposes of this section; or

(6) a threat to commit a violation under section 617.261.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2014, section 609.275, is amended to read:

**609.275 ATTEMPT TO COERCE.**

Whoever makes a threat within the meaning of section 609.27, subdivision 1, clauses (1) to ~~(5)~~ (6), but fails to cause the intended act or forbearance, commits an attempt to coerce and may be punished as provided in section 609.17.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2014, section 609.748, subdivision 1, is amended to read:

**Subdivision 1. *Definition.*** For the purposes of this section, the following terms have the meanings given them in this subdivision.

(a) "Harassment" includes:

(1) a single incident of physical or sexual assault; a single incident of stalking under section 609.749, subdivision 2, clause (8); a single incident of nonconsensual dissemination of private sexual images under section 617.261; or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target;

(2) targeted residential picketing; and

(3) a pattern of attending public events after being notified that the actor's presence at the event is harassing to another.

(b) "Respondent" includes any adults or juveniles alleged to have engaged in harassment or organizations alleged to have sponsored or promoted harassment.

(c) "Targeted residential picketing" includes the following acts when committed on more than one occasion:

(1) marching, standing, or patrolling by one or more persons directed solely at a particular residential building in a manner that adversely affects the safety, security, or privacy of an occupant of the building; or

(2) marching, standing, or patrolling by one or more persons which prevents an occupant of a residential building from gaining access to or exiting from the property on which the residential building is located.

**EFFECTIVE DATE.** This section is effective August 1, 2016.

Sec. 7. Minnesota Statutes 2014, section 609.749, subdivision 2, is amended to read:

Subd. 2. **Stalking crimes.** A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:

(1) directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;

(2) follows, monitors, or pursues another, whether in person or through any available technological or other means;

(3) returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;

(4) repeatedly makes telephone calls, sends text messages, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;

(5) makes or causes the telephone of another repeatedly or continuously to ring;

(6) repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects; ~~or~~

(7) knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties; or

(8) uses another's personal information, without consent, to invite, encourage, or solicit another to engage in a sexual act with the person.

For purposes of this clause, "personal information" and "sexual act" have the meanings given in section 617.261, subdivision 7.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2014, section 609.765, is amended to read:

**609.765 CRIMINAL DEFAMATION.**

Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in society, or injury to business or occupation.

**Subd. 2. Acts constituting.** Whoever with knowledge of its false and defamatory character orally, in writing or by any other means, communicates any false and defamatory matter to a third person without the consent of the person defamed is guilty of criminal defamation and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

**Subd. 3. Justification.** Violation of subdivision 2 is justified if:

- (1) ~~the defamatory matter is true and is communicated with good motives and for justifiable ends; or~~
- (2) the communication is absolutely privileged; or
- (3) ~~(2) the communication consists of fair comment made in good faith with respect to persons participating in matters of public concern; or~~
- (4) ~~(3) the communication consists of a fair and true report or a fair summary of any judicial, legislative or other public or official proceedings; or~~
- (5) ~~(4) the communication is between persons each having an interest or duty with respect to the subject matter of the communication and is made with intent to further such interest or duty.~~

**Subd. 4. Testimony required.** No person shall be convicted on the basis of an oral communication of defamatory matter except upon the testimony of at least two other persons that they heard and understood the oral statement as defamatory or upon a plea of guilty.

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

**Sec. 9. [617.261] NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES.**

**Subdivision 1. Crime.** It is a crime to intentionally disseminate an image of another person who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part, when:

- (1) the person is identifiable:
  - (i) from the image itself, by the person depicted in the image or by another person; or
  - (ii) from personal information displayed in connection with the image;
- (2) the actor knows or should know that the person depicted in the image does not consent to the dissemination; and
- (3) the image was obtained or created under circumstances in which a reasonable person would know or understand that the image was to remain private.

**Subd. 2. Penalties; aggravating factors.** (a) Except as provided in paragraphs (b) and (c), whoever violates subdivision 1 is guilty of a gross misdemeanor.

(b) Whoever violates subdivision 1 may be sentenced to imprisonment for not more than three years or to payment of a fine of \$5,000, or both, if one of the following aggravating factors is present:

- (1) the person depicted in the image suffers financial loss due to the dissemination of the image;
- (2) the actor disseminates the image with intent to profit from the dissemination;

(3) the actor maintains a Web site, online service, online application, or mobile application for the purpose of disseminating the image;

(4) the actor posts the image on a Web site;

(5) the actor disseminates the image with intent to harass the person depicted in the image;

(6) the actor obtained the image by committing a violation of section 609.52, 609.746, 609.89, or 609.891; or

(7) the actor has previously been convicted under this chapter.

(c) Whoever violates subdivision 1 may be sentenced to imprisonment for not more than seven years or to payment of a fine of \$15,000, or both, if either:

(1) the person depicted in the image is a minor and the actor is more than 36 months older than the minor and one of the aggravating factors in paragraph (b) is present; or

(2) two or more aggravating factors in paragraph (b) are present.

**Subd. 3. Reasonable expectation of privacy.** For purposes of subdivision 1, clause (3), a person who, within the context of a private or confidential relationship, consented to the capture or possession of an image involving engaging in a sexual act or exposure of intimate parts retains a reasonable expectation of privacy with regard to the dissemination of the image beyond that relationship.

**Subd. 4. Venue.** Notwithstanding anything to the contrary in section 627.01, an offense committed under this section may be prosecuted in:

(1) the county where the offense occurred;

(2) the county of residence of the actor or victim or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established by chapter 5B; or

(3) the county where any image is produced, reproduced, found, stored, received, or possessed in violation of this section.

**Subd. 5. Exemptions.** Subdivision 1 does not apply when:

(1) the dissemination is made for the purpose of a criminal investigation or prosecution that is otherwise lawful;

(2) the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

(3) the dissemination is made in the course of seeking or receiving medical treatment and the image is protected from further distribution;

(4) the image involves voluntary exposure in a public or was obtained in a commercial setting for the purpose of the legal sale of goods or services, including the creation of artistic products for sale or display;

(5) the image relates to a matter of public interest and dissemination serves a lawful public purpose;

(6) the dissemination is for legitimate scientific research or educational purposes; or

(7) the dissemination is made for legal proceedings and, is consistent with common practice in civil proceedings, necessary for the proper functioning of the criminal justice system, or protected by court order which prohibits any further dissemination.

Subd. 6. Immunity. Nothing in this section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

- (1) an interactive computer service as defined in United States Code, title 47, section 230, paragraph (f), clause (2);
- (2) a provider of public mobile services or private radio services; or
- (3) a telecommunications network or broadband provider.

Subd. 7. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Dissemination" means distribution to one or more persons, other than the person depicted in the image, or publication by any publicly available medium.

(c) "Harass" means an act that would cause a substantial adverse effect on the safety, security, or privacy of a reasonable person.

(d) "Image" means a photograph, film, video recording, or digital photograph or recording.

(e) "Intimate parts" means the genitals, pubic area, or anus of an individual, or if the individual is female, a partially or fully exposed nipple.

(f) "Personal information" means any identifier that permits physical, online, or wireless contact or communication with a person, including:

- (1) a person's first and last name, first initial and last name, or first name and last initial;
- (2) a person's home, school, or work address;
- (3) a person's telephone number, e-mail address, or social media account information; or
- (4) a person's geolocation data.

(g) "Sexual act" means either sexual contact or sexual penetration.

(h) "Sexual contact" means the intentional touching of another's intimate parts or intentional touching with seminal fluid or sperm onto another person's body.

(i) "Social media" means any electronic medium, including an interactive computer service, telephone network, or data network that allows users to create, share, and view user-generated content.

(j) "Sexual penetration" means any of the following acts:

- (1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or
- (2) any intrusion, however slight, into the genital or anal openings of an individual by another's body part or an object used by another for this purpose.

**Subd. 8. Other crimes.** Nothing in this section or section 609.035 or 609.04 shall limit the power of the state to prosecute or punish a person for conduct that constitutes any other crime under any other law of this state.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2015 Supplement, section 628.26, is amended to read:

**628.26 LIMITATIONS.**

(a) Indictments or complaints for any crime resulting in the death of the victim may be found or made at any time after the death of the person killed.

(b) Indictments or complaints for a violation of section 609.25 may be found or made at any time after the commission of the offense.

(c) Indictments or complaints for violation of section 609.282 may be found or made at any time after the commission of the offense if the victim was under the age of 18 at the time of the offense.

(d) Indictments or complaints for violation of section 609.282 where the victim was 18 years of age or older at the time of the offense, or 609.42, subdivision 1, clause (1) or (2), shall be found or made and filed in the proper court within six years after the commission of the offense.

(e) Indictments or complaints for violation of sections 609.322 and 609.342 to 609.345, if the victim was under the age of 18 years at the time the offense was committed, shall be found or made and filed in the proper court within the later of nine years after the commission of the offense or three years after the offense was reported to law enforcement authorities.

(f) Notwithstanding the limitations in paragraph (e), indictments or complaints for violation of sections 609.322 and 609.342 to 609.344 may be found or made and filed in the proper court at any time after commission of the offense, if physical evidence is collected and preserved that is capable of being tested for its DNA characteristics. If this evidence is not collected and preserved and the victim was 18 years old or older at the time of the offense, the prosecution must be commenced within nine years after the commission of the offense.

(g) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision 2, clause (3), item (iii), shall be found or made and filed in the proper court within six years after the commission of the offense.

(h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision 2, clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of the property or services stolen is more than \$35,000, shall be found or made and filed in the proper court within five years after the commission of the offense.

(i) Except for violations relating to false material statements, representations or omissions, indictments or complaints for violations of section 609.671 shall be found or made and filed in the proper court within five years after the commission of the offense.

(j) Indictments or complaints for violation of sections 609.561 to 609.563, shall be found or made and filed in the proper court within five years after the commission of the offense.

(k) Indictments or complaints for a violation of section 617.261 shall be found or made and filed in the proper court within three years after the offense is reported to law enforcement authorities.

(l) In all other cases, indictments or complaints shall be found or made and filed in the proper court within three years after the commission of the offense.

~~(l)~~ (m) The limitations periods contained in this section shall exclude any period of time during which the defendant was not an inhabitant of or usually resident within this state.

~~(m)~~ (n) The limitations periods contained in this section for an offense shall not include any period during which the alleged offender participated under a written agreement in a pretrial diversion program relating to that offense.

~~(n)~~ (o) The limitations periods contained in this section shall not include any period of time during which physical evidence relating to the offense was undergoing DNA analysis, as defined in section 299C.155, unless the defendant demonstrates that the prosecuting or law enforcement agency purposefully delayed the DNA analysis process in order to gain an unfair advantage.

**EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; creating a civil cause of action for the nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; amending the crime of coercion to include threat of nonconsensual dissemination of private sexual images; amending the crime of stalking to include nonconsensual sexual solicitation; expanding the definitions of qualified domestic violence-related offense and harassment; establishing criminal penalties for nonconsensual dissemination of private sexual images and nonconsensual sexual solicitation; clarifying the law of criminal defamation; amending Minnesota Statutes 2014, sections 609.02, subdivision 16; 609.27, subdivision 1; 609.275; 609.748, subdivision 1; 609.749, subdivision 2; 609.765; Minnesota Statutes 2015 Supplement, section 628.26; proposing coding for new law in Minnesota Statutes, chapters 604; 617."

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Erickson from the Committee on Education Innovation Policy to which was referred:

H. F. No. 2805, A bill for an act relating to education; establishing a Grow Your Own teacher residency pilot program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 6, delete "An alternative certification" and insert "A nonconventional" and after "program" insert "under Minnesota Statutes, section 122A.09, subdivision 10, paragraph (a),"

Page 1, line 10, delete "alternative certification" and insert "nonconventional"

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

The report was adopted.

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

H. F. No. 2866, A bill for an act relating to natural resources; providing for control of invasive species; modifying wild rice license requirements; providing for streamlined review of certain plans and regulations; modifying and providing civil penalties; requiring a report; amending Minnesota Statutes 2014, sections 17.4982, subdivision 18a; 84.027, subdivision 13; 84.091, subdivision 2; 84D.01, subdivision 2; 84D.05, subdivision 1; 84D.09, subdivision 2; 84D.10, subdivision 4; 84D.108, by adding a subdivision; 84D.13, subdivision 4; 116G.15, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 84.027, subdivision 13a; 84D.11, subdivision 1; 84D.13, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 84D.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources Policy and Finance.

The report was adopted.

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

H. F. No. 2867, A bill for an act relating to data practices; classifying certain data related to small business certification programs; amending Minnesota Statutes 2014, section 13.591, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 13.591, is amended by adding a subdivision to read:

Subd. 2a. **Small business certification program data.** Subdivisions 1 and 2 apply to financial information about a business submitted to a government entity as part of the business' application for certification as a small, small minority-owned, small woman-owned, or veteran-owned business, or for certification under sections 16C.16 to 16C.21."

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

The report was adopted.

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

H. F. No. 3001, A bill for an act relating to state government; requiring disclosure of federal penalties relating to purchase or sale of state bonds; 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 Ways and Means.

The report was adopted.

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

H. F. No. 3019, A bill for an act relating to local government; making technical changes to Ramsey County human resources statutes; amending Minnesota Statutes 2014, section 383A.289, subdivision 3; repealing Minnesota Statutes 2014, section 383A.295, subdivision 3.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 4. **EFFECTIVE DATE.**

This act is effective the day after the Ramsey County Board of Commissioners and the county's chief clerical officer timely comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

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

The report was adopted.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3081, A bill for an act relating to workforce development; modifying workforce development areas; amending Minnesota Statutes 2014, section 116L.666.

Reported the same back with the following amendments:

Page 3, line 2, strike "and"

Page 3, after line 2, insert:

"(vi) a company or trade association with an apprenticeship program recognized by the Department of Labor and Industry; and"

Page 3, line 3, delete "(vi)" and insert "(vii)"

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

The report was adopted.

Erickson from the Committee on Education Innovation Policy to which was referred:

H. F. No. 3132, A bill for an act relating to education; creating the Teacher Shortage Act; appropriating money; amending Minnesota Statutes 2015 Supplement, sections 122A.413, subdivision 1; 122A.415; Laws 2015, chapter 69, article 1, section 3, subdivision 28; Laws 2015, First Special Session chapter 3, article 2, section 70, subdivisions 2, 12; 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.

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

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

Reported the same back with the following amendments:

Page 1, after line 25, insert:

**EFFECTIVE DATE.** This section is effective October 1, 2016."

Page 4, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2014, section 144A.475, subdivision 3, is amended to read:

Subd. 3. **Notice.** (a) Prior to any suspension, revocation, or refusal to renew a license, the home care provider shall be entitled to notice and a hearing as provided by sections 14.57 to 14.69. In addition to any other remedy provided by law, the commissioner may, without a prior contested case hearing, temporarily suspend a license or prohibit delivery of services by a provider for not more than 90 days, ~~or issue a conditional license if the commissioner determines that there are level 3 or 4 violations as defined in section 144A.474, subdivision 11, paragraph (b), that do not pose an imminent risk of harm to the health or safety of persons in the provider's care,~~ provided:

- (1) advance notice is given to the home care provider;
- (2) after notice, the home care provider fails to correct the problem;
- (3) the commissioner has reason to believe that other administrative remedies are not likely to be effective; and
- (4) there is an opportunity for a contested case hearing within the 30 days unless there is an extension granted by an administrative law judge pursuant to subdivision 3b.

(b) If the commissioner determines there are:

- (1) level 4 violations; or
- (2) violations that pose an imminent risk of harm to the health or safety of persons in the provider's care, the commissioner may immediately temporarily suspend a license, prohibit delivery of services by a provider, or issue a conditional license without meeting the requirements of paragraph (a), clauses (1) to (4).

For the purposes of this subdivision, "level 3" and "level 4" have the meanings given in section 144A.474, subdivision 11, paragraph (b)."

Page 4, line 27, strike "Temporary suspension"

Page 4, line 28, delete "immediate" and after "suspension" insert "or issuance of a conditional license"

Page 5, line 2, delete "immediate" and after "suspension" insert "or issuance of a conditional license"

Page 5, line 4, after "(b)" insert ", or that there were violations that posed an imminent risk of harm to the health and safety of persons in the provider's care"

Page 5, lines 10 and 11, after "suspension" insert "or conditional license"

Page 5, line 18, before "A" insert "(d)"

Page 5, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 2014, section 144A.475, is amended by adding a subdivision to read:

Subd. 3c. Immediate temporary suspension. (a) In addition to any other remedies provided by law, the commissioner may, without a prior contested case hearing, immediately temporarily suspend a license or prohibit delivery of services by a provider for not more than 90 days, or issue a conditional license, if the commissioner determines that there are:

(1) level 4 violations; or

(2) violations that pose an imminent risk of harm to the health or safety of persons in the provider's care.

(b) For purposes of this subdivision, "level 4" has the meaning given in section 144A.474, subdivision 11, paragraph (b).

(c) A notice stating the reasons for the immediate temporary suspension or conditional license and informing the license holder of the right to an expedited hearing under subdivision 3b, must be delivered by personal services to the address shown on the application or the last known address of the license holder. The license holder may appeal an order immediately temporarily suspending a license or issuing a conditional license. The appeal must be made in writing by certified mail or personal service. If mailed, the appeal must be postmarked and sent to the commissioner within five calendar days after the license holder receives notice. If an appeal is made by personal service, it must be received by the commissioner within five calendar days after the license holder received the order.

(d) A license holder whose license is immediately temporarily suspended must comply with the requirements for notification and transfer of clients in subdivision 5. These requirements remain if an appeal is requested."

Page 9, line 19, after "days" insert "within the applicable license period"

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

Erickson from the Committee on Education Innovation Policy to which was referred:

H. F. No. 3167, A bill for an act relating to education; encouraging character development education to include a focus on Congressional Medal of Honor recipients; amending Minnesota Statutes 2014, section 120B.232.

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. 3175, A bill for an act relating to public safety; requiring criminal history background checks for driving instructor license applicants; amending Minnesota Statutes 2014, section 171.35.

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

The report was adopted.

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

H. F. No. 3186, A bill for an act relating to agriculture; establishing a grain credit contract indemnity program; increasing bond amounts for licensed grain buyers; dedicating a portion of sales tax revenue derived from the sale of grain bins; eliminating the sales tax on grain bins; establishing a gross receipts tax for grain bins to fund the indemnity payments if program funding falls below a threshold amount; appropriating money; amending Minnesota Statutes 2014, sections 223.15; 223.16, subdivision 1; 223.17, subdivision 4; 223.19; 297A.61, subdivision 12; proposing coding for new law in Minnesota Statutes, chapters 223; 295.

Reported the same back with the following amendments:

Page 4, line 20, before the period, insert ", but excludes delivery and installation charges"

Page 7, line 1, strike "grain bins,"

With the recommendation that when so amended the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

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

H. F. No. 3209, A bill for an act relating to game and fish; prohibiting adoption of rules limiting use of lead shot; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

The report was adopted.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3210, A bill for an act relating to tourism; appropriating money to Explore Minnesota Tourism for an event destination pilot project.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

The report was adopted.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3242, A bill for an act relating to capital investment; appropriating money for the greater Minnesota business development public infrastructure grant program; authorizing the sale and issuance of state bonds.

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

The report was adopted.

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

H. F. No. 3246, A bill for an act relating to commerce; regulating no-fault auto benefits; requiring the deduction of basic economic loss benefits previously provided; amending Minnesota Statutes 2014, sections 65B.44, subdivision 5; 65B.51, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Civil Law and Data Practices.

The report was adopted.

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

H. F. No. 3260, A bill for an act relating to criminal justice; allowing local governmental units to regulate the residency of level III sex offenders; amending Minnesota Statutes 2014, section 244.052, subdivision 4a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3377, A bill for an act relating to housing; establishing a workforce and affordable homeownership development program; requiring reports; appropriating a portion of proceeds of the mortgage registry tax and the deed tax to the Minnesota Housing Finance Agency to be used for creation of workforce and affordable ownership housing; proposing coding for new law in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Page 2, line 31, delete "2015" and insert "the previous tax year, but shall never be an amount less than \$0"

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.

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

H. F. No. 3402, A bill for an act relating to financial institutions; regulating retirement, health savings, and medical savings accounts; providing asset protection; amending Minnesota Statutes 2014, sections 47.75, subdivision 1; 48.15, subdivision 4.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2014, section 47.01, is amended by adding a subdivision to read:

Subd. 6. Health savings accounts and medical savings accounts. Health savings accounts and medical savings accounts are a type of health insurance plan and it is a purpose of this statute to regulate these accounts."

Page 1, line 17, delete "this section" and insert "paragraph (a), clauses (2) and (3),"

Page 2, line 24, delete "this section" and insert "paragraph (a), clauses (2) and (3),"

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.

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

H. F. No. 3478, A bill for an act relating to corrections; authorizing Department of Corrections access to employment data for research of effectiveness of employment programming for offenders in the community; amending Minnesota Statutes 2014, section 268.19, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 28, after "preprobation" insert ", probation,"

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. 3482, A bill for an act relating to criminal justice; extending the statute of limitations for certain identity theft crimes; amending Minnesota Statutes 2015 Supplement, section 628.26.

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. 3497, A bill for an act relating to transportation; amending requirements governing small vehicle passenger service ordinances that regulate pedicabs; amending Minnesota Statutes 2014, sections 221.091, subdivision 2; 368.01, subdivision 12; 412.221, subdivision 20.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

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

H. F. No. 3517, A bill for an act relating to aeronautics; regulating the operation of unmanned aircraft systems; providing penalties; authorizing rulemaking; amending Minnesota Statutes 2014, sections 360.013, by adding a subdivision; 360.075, subdivision 1, by adding subdivisions; 360.55, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 360.

Reported the same back with the following amendments:

Page 3, line 31, delete "or"

Page 3, after line 31, insert:

"(6) knowingly operates an unmanned aircraft system within one mile of a helicopter being operated by a law enforcement agency, fire department, or emergency medical service provider; or"

Page 3, line 32, delete "(6)" and insert "(7)"

With the recommendation that when so amended the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

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

H. F. No. 3549, A bill for an act relating to elections; establishing a presidential primary; modifying provisions related to the precinct caucuses; making technical and conforming changes; amending Minnesota Statutes 2014, sections 201.091, subdivision 4; 202A.14, subdivision 1; 202A.18, subdivision 2a; 204B.14, subdivisions 2, 4; 204C.10; 204D.09, subdivision 1; Minnesota Statutes 2015 Supplement, section 204C.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 207A.

Reported the same back with the following amendments:

Page 2, line 19, before the period, insert ", or the town general election date provided in section 205.075, subdivision 1"

Page 2, line 29, delete "following" and insert "prior to"

Page 6, line 21, after the period, insert "When posting voter history pursuant to section 201.171, the county auditor must include the name of the political party whose ballot the voter requested."

Page 7, line 3, before "Each" insert "(a)"

Page 7, line 6, delete "56" and insert "63"

Page 7, line 7, delete everything after the period

Page 7, delete lines 8 and 9 and insert:

"(b) No later than the seventh day before the presidential primary, the chair of each party must submit to the secretary of state the names of any write-in candidates to be counted for that party."

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

The report was adopted.

Gunther from the Committee on Greater Minnesota Economic and Workforce Development Policy to which was referred:

H. F. No. 3601, A bill for an act relating to higher education; modifying the greater Minnesota internship program; establishing a grant program; repealing a tax credit; appropriating money; amending Minnesota Statutes 2014, section 136A.129; repealing Minnesota Statutes 2014, section 290.06, subdivision 36.

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.

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

H. F. No. 3691, A bill for an act relating to mass transit; requiring initiation of negotiations to extend and modify Northstar commuter rail passenger service.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Government Operations and Elections Policy.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 200, 1674, 2540, 2585, 2602, 3019, 3081, 3167, 3209, 3402, 3478 and 3482 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Anzelc and Ecklund introduced:

H. F. No. 3700, A bill for an act relating to state government; proposing early separation incentives for employees of the Iron Range Resources and Rehabilitation Board.

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

Clark, Allen, Mariani, Persell, Hornstein, Flanagan and Moran introduced:

H. F. No. 3701, A bill for an act relating to adult basic education; workforce training; providing for a regional American Indian contextualized adult basic education and career development program; appropriating money.

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

Thissen introduced:

H. F. No. 3702, A bill for an act relating to higher education; broadening the intervention for college attendance grant program; appropriating money; amending Minnesota Statutes 2014, section 136A.861, subdivisions 3, 5, 6, 7; Minnesota Statutes 2015 Supplement, section 136A.861, subdivision 1.

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

Dettmer introduced:

H. F. No. 3703, A bill for an act relating to education finance; modifying the calculation of school district equalized debt service levies; amending Minnesota Statutes 2014, section 123B.53, subdivision 5.

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

Smith introduced:

H. F. No. 3704, A bill for an act relating to education; requiring school district training to protect student data; proposing coding for new law in Minnesota Statutes, chapter 123B.

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices.

Peterson introduced:

H. F. No. 3705, A bill for an act relating to education finance; modifying allowed uses for long-term facilities maintenance revenue; amending Minnesota Statutes 2015 Supplement, section 123B.595, subdivisions 10, 11.

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

Carlson introduced:

H. F. No. 3706, A bill for an act relating to taxation; property; providing for payments of homestead taxes to be made over eight monthly installments per year; amending Minnesota Statutes 2014, section 279.01, subdivision 1, by adding a subdivision.

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

Anderson, C.; Peterson; Whelan; Nash and Kresha introduced:

H. F. No. 3707, A bill for an act relating to taxation; income; establishing a subtraction for parents of stillborn children; amending Minnesota Statutes 2014, sections 290.01, subdivision 19b; 290.091, subdivision 2.

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

Anderson, C.; Garofalo and Christensen introduced:

H. F. No. 3708, A bill for an act relating to solid waste; placing moratorium on authority of local units of government to organize solid waste collection; amending Minnesota Statutes 2014, section 115A.94, by adding a subdivision.

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

Christensen introduced:

H. F. No. 3709, A bill for an act relating to education; allowing a school to retain a student in grade 3 if they are not reading at grade level; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

Hilstrom introduced:

H. F. No. 3710, A bill for an act relating to health; adding security screening systems to ionizing radiation-producing equipment; appropriating money; amending Minnesota Statutes 2014, section 144.121, subdivision 1a, by adding a subdivision.

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

Persell introduced:

H. F. No. 3711, A bill for an act relating to capital investment; appropriating money for a youth center in the Cass Lake-Bena School District; authorizing the sale and issuance of state bonds.

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

Dettmer introduced:

H. F. No. 3712, A bill for an act relating to military affairs; permitting sale of the Stillwater Armory to the city of Stillwater for less than market value.

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

Moran and Mahoney introduced:

H. F. No. 3713, A bill for an act relating to workforce development; providing for grants for job training; appropriating money.

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

Thissen introduced:

H. F. No. 3714, A bill for an act relating to local government; requiring a public hearing after 30-day notice before imposing an interim ordinance relating to housing; amending Minnesota Statutes 2014, section 462.355, subdivision 4.

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

Fabian introduced:

H. F. No. 3715, A bill for an act relating to environment; providing for certain demolition debris landfill permitting and rules.

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

O'Driscoll introduced:

H. F. No. 3716, A bill for an act relating to retirement; Minnesota State Retirement System; revising augmentation interest rates for certain terminated privatized employees; amending Minnesota Statutes 2014, section 352F.04, subdivisions 1, 2, by adding subdivisions.

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

Hamilton introduced:

H. F. No. 3717, A bill for an act relating to capital investment; providing for the Lewis and Clark Regional Water System; appropriating money; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2015 Supplement, section 16A.967.

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

Metsa introduced:

H. F. No. 3718, A bill for an act relating to retirement; Teachers Retirement Association; coverage election for certain Mesabi Range Community and Technical College faculty members not offered a coverage election upon reaching tenure.

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

Mullery introduced:

H. F. No. 3719, A bill for an act relating to transportation; allowing towing of vehicle involved in a collision where operator is cited for driving without a license or insurance; creating gross misdemeanor for multiple violations of driving without a valid license; amending Minnesota Statutes 2014, sections 168B.035, subdivision 3; 171.24, subdivision 5.

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

Peterson introduced:

H. F. No. 3720, A bill for an act relating to education; creating Education Savings Accounts for Students in Low-Performing Schools Act; appropriating money.

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

Dean, M., introduced:

H. F. No. 3721, A bill for an act relating to human services; correcting terminology relating to the Supplemental Nutrition Assistance Program.

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

Hamilton introduced:

H. F. No. 3722, A bill for an act relating to agriculture; appropriating money for a grant for the farm-to-food shelf program.

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

Drazkowski introduced:

H. F. No. 3723, A bill for an act relating to transportation; modifying permit requirements for temporary use of certain rights-of-way; amending Minnesota Statutes 2015 Supplement, section 160.27, subdivision 10.

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

Sanders introduced:

H. F. No. 3724, A bill for an act relating to elections; establishing a voting equipment grant account; providing for grants to counties and municipalities for the acquisition of certain authorized voting equipment; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 206.

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

Vogel introduced:

H. F. No. 3725, A bill for an act relating to taxation; sales and use; providing a sales tax exemption for a water treatment facility owned by the city of Elko New Market; providing for a refund; appropriating money.

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

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 2614.

JOANNE M. ZOFF, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 2614, A bill for an act relating to higher education; workforce development; clarifying the dual training grant program; amending Minnesota Statutes 2015 Supplement, sections 136A.246; 175.45, subdivision 1.

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

**MOTIONS AND RESOLUTIONS**

Zerwas moved that the name of Mack be added as an author on H. F. No. 1122. The motion prevailed.

Peterson moved that the name of Theis be added as chief author on H. F. No. 1515. The motion prevailed.

Allen moved that the name of Kahn be added as an author on H. F. No. 1533. The motion prevailed.

Miller moved that the name of Swedzinski be added as an author on H. F. No. 1562. The motion prevailed.

Davids moved that the name of Heintzman be added as an author on H. F. No. 2314. The motion prevailed.

Hilstrom moved that the name of Uglem be added as an author on H. F. No. 2341. The motion prevailed.

Norton moved that the name of Liebling be added as an author on H. F. No. 2415. The motion prevailed.

Hackbarth moved that the name of Ecklund be added as an author on H. F. No. 2460. The motion prevailed.

Youakim moved that the names of Erhardt, Hornstein, Pierson, Baker and Mahoney be added as authors on H. F. No. 2536. The motion prevailed.

Kelly moved that the name of Norton be added as an author on H. F. No. 2690. The motion prevailed.

Lesch moved that the name of Dehn, R., be added as an author on H. F. No. 2741. The motion prevailed.

Bly moved that the name of Selcer be added as an author on H. F. No. 2771. The motion prevailed.

Hausman moved that the names of Baker and Gunther be added as authors on H. F. No. 2784. The motion prevailed.

Poppe moved that the names of Hornstein and Baker be added as authors on H. F. No. 2806. The motion prevailed.

Howe moved that the name of Murphy, M., be added as an author on H. F. No. 2810. The motion prevailed.

Pierson moved that the name of Bennett be added as an author on H. F. No. 2864. The motion prevailed.

Schoen moved that the name of Hausman be added as an author on H. F. No. 2897. The motion prevailed.

Hortman moved that the name of Bernardy be added as an author on H. F. No. 2923. The motion prevailed.

Hortman moved that the name of Bernardy be added as an author on H. F. No. 2924. The motion prevailed.

Applebaum moved that the name of Bernardy be added as an author on H. F. No. 2965. The motion prevailed.

Peterson moved that the names of Anderson, C., and Vogel be added as authors on H. F. No. 2969. The motion prevailed.

Erickson moved that the name of Bennett be added as an author on H. F. No. 3132. The motion prevailed.

Thissen moved that the name of Murphy, M., be added as an author on H. F. No. 3136. The motion prevailed.

Bly moved that the name of Schultz be added as an author on H. F. No. 3300. The motion prevailed.

Clark moved that the name of Hornstein be added as an author on H. F. No. 3324. The motion prevailed.

Selcer moved that the name of Yarusso be added as an author on H. F. No. 3332. The motion prevailed.

Mack moved that the name of Miller be added as chief author on H. F. No. 3370. The motion prevailed.

Fabian moved that the names of Poppe and Metsa be added as authors on H. F. No. 3409. The motion prevailed.

Pierson moved that the name of Fischer be added as an author on H. F. No. 3429. The motion prevailed.

Rosenthal moved that the name of Yarusso be added as an author on H. F. No. 3454. The motion prevailed.

Zerwas moved that the name of Uglem be added as an author on H. F. No. 3482. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 3491. The motion prevailed.

Clark moved that the name of Kahn be added as an author on H. F. No. 3504. The motion prevailed.

Hamilton moved that the name of Moran be added as an author on H. F. No. 3544. The motion prevailed.

Slocum moved that the name of Kahn be added as an author on H. F. No. 3558. The motion prevailed.

Mariani moved that the name of Kahn be added as an author on H. F. No. 3562. The motion prevailed.

Ward moved that the name of Selcer be added as an author on H. F. No. 3627. The motion prevailed.

Flanagan moved that the name of Fischer be added as an author on H. F. No. 3640. The motion prevailed.

Norton moved that the names of Hausman, Ward, Yarusso, Fischer and Liebling be added as authors on H. F. No. 3647. The motion prevailed.

Lesch moved that the name of Fischer be added as an author on H. F. No. 3648. The motion prevailed.

Dehn, R., moved that the names of Rosenthal and Bernardy be added as authors on H. F. No. 3650. The motion prevailed.

Hamilton moved that the names of Fischer and Kahn be added as authors on H. F. No. 3655. The motion prevailed.

Rarick moved that the name of Theis be added as an author on H. F. No. 3658. The motion prevailed.

Dettmer moved that the name of Lohmer be added as an author on H. F. No. 3663. The motion prevailed.

Albright moved that the name of Vogel be added as an author on H. F. No. 3671. The motion prevailed.

Masin moved that the name of Fischer be added as an author on H. F. No. 3677. The motion prevailed.

Anzlec moved that the name of Newton be added as an author on H. F. No. 3681. The motion prevailed.

Knoblach moved that the name of Kahn be added as an author on H. F. No. 3691. The motion prevailed.

Atkins moved that his name be stricken as an author on H. F. No. 3693. The motion prevailed.

Hortman moved that the name of Fischer be added as an author on H. F. No. 3694. The motion prevailed.

Rosenthal moved that the name of Fischer be added as an author on H. F. No. 3696. The motion prevailed.

#### ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 4:00 p.m., Thursday, March 31, 2016. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 4:00 p.m., Thursday, March 31, 2016.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

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[75TH DAY