

STATE OF MINNESOTA

# Journal of the House

NINETIETH SESSION — 2018

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NINETY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 14, 2018

The House of Representatives convened at 10:00 a.m. and was called to order by Kurt Daudt, Speaker of the House.

Prayer was offered by the Reverend Kari Williamson, Lutheran Church of the Cross, Nisswa, 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     | Davnie     | Hansen        | Lesch      | Nelson     | Runbeck    |
| Allen        | Dean, M.   | Hausman       | Lien       | Neu        | Sauke      |
| Anderson, P. | Dehn, R.   | Heintzeman    | Lillie     | Newberger  | Schomacker |
| Anderson, S. | Dettmer    | Hertaus       | Loeffler   | Nornes     | Schultz    |
| Anselmo      | Drazkowski | Hilstrom      | Lohmer     | O'Driscoll | Scott      |
| Backer       | Ecklund    | Hoppe         | Loon       | Olson      | Smith      |
| Bahr, C.     | Erickson   | Hornstein     | Loonan     | Omar       | Sundin     |
| Baker        | Fabian     | Hortman       | Lucero     | O'Neill    | Swedzinski |
| Barr, R.     | Fenton     | Howe          | Lueck      | Pelowski   | Theis      |
| Becker-Finn  | Fischer    | Jessup        | Mahoney    | Peppin     | Torkelson  |
| Bennett      | Franke     | Johnson, B.   | Mariani    | Petersburg | Uglen      |
| Bernardy     | Franson    | Johnson, C.   | Marquart   | Peterson   | Urdahl     |
| Bliss        | Freiberg   | Jurgens       | Masin      | Pierson    | Vogel      |
| Bly          | Garofalo   | Kiel          | Maye Quade | Pinto      | Wagenius   |
| Carlson, A.  | Green      | Knoblach      | McDonald   | Poppe      | West       |
| Carlson, L.  | Grossell   | Koegel        | Metsa      | Poston     | Whelan     |
| Christensen  | Gruenhagen | Koznick       | Miller     | Pryor      | Wills      |
| Clark        | Gunther    | Kresha        | Munson     | Pugh       | Youakim    |
| Considine    | Haley      | Kunesh-Podein | Murphy, E. | Quam       | Zerwas     |
| Daniels      | Halverson  | Layman        | Murphy, M. | Rarick     | Spk. Daudt |
| Davids       | Hamilton   | Lee           | Nash       | Rosenthal  |            |

A quorum was present.

Johnson, S.; Liebling and Sandstede were excused.

Moran was excused until 12:50 p.m. Flanagan was excused until 1:05 p.m. Applebaum was excused until 1:25 p.m. Slocum was excused until 2:50 p.m. Ward was excused until 3:35 p.m.

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

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**REPORTS OF CHIEF CLERK**

S. F. No. 893 and H. F. No. 1609, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Smith moved that S. F. No. 893 be substituted for H. F. No. 1609 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2869 and H. F. No. 3282, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Bahr, C., moved that S. F. No. 2869 be substituted for H. F. No. 3282 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2949 and H. F. No. 3582, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Omar moved that S. F. No. 2949 be substituted for H. F. No. 3582 and that the House File be indefinitely postponed. The motion prevailed.

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 8, 2018

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

Dear Speaker Daudt:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 3418, relating to commerce; changing requirements for motor vehicle service contracts.

H. F. No. 3225, relating to commerce; regulating wireless communications device dealer payments for used devices.

H. F. No. 3210, relating to local government; modifying county authorization for storm and sanitary sewer systems.

H. F. No. 3755, relating to watercraft; modifying requirements for carbon monoxide detection devices.

H. F. No. 2743, relating to civil actions; regulating actions for damages based on services or construction to improve real property; providing for a limitation on actions.

H. F. No. 3552, relating to real property; modifying the definition of residential use under the Minnesota Common Interest Ownership Act.

H. F. No. 3389, relating to children; modifying presumptions in child support modifications; codifying case law.

H. F. No. 817, relating to public safety; establishing crimes for interfering or attempting to interfere with point-of-sale terminals, gas pump dispensers, and automated teller machines.

H. F. No. 1975, relating to municipal contracting; narrowing a bidding exception for certain water tank service contracts.

H. F. No. 3622, relating to insurance; changing accreditation and certification requirements for reinsurers.

Sincerely,

MARK DAYTON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Kurt L. Daudt  
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2018 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S. F.<br/>No.</i> | <i>H. F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Time and<br/>Date Approved<br/>2018</i> | <i>Date Filed<br/>2018</i> |
|----------------------|----------------------|-------------------------------------|--|----------------------------|
|                      | 3418                 | 112                                 | 12:22 p.m. May 8                           | May 8                      |
|                      | 3225                 | 113                                 | 12:24 p.m. May 8                           | May 8                      |
|                      | 3210                 | 114                                 | 12:26 p.m. May 8                           | May 8                      |
|                      | 3755                 | 115                                 | 12:27 p.m. May 8                           | May 8                      |
|                      | 2743                 | 116                                 | 12:28 p.m. May 8                           | May 8                      |
|                      | 3552                 | 117                                 | 12:29 p.m. May 8                           | May 8                      |
|                      | 3389                 | 118                                 | 12:30 p.m. May 8                           | May 8                      |
| 3306                 |                      | 119                                 | 12:34 p.m. May 8                           | May 8                      |

|      |     |                  |       |
|------|-----|------------------|-------|
| 3525 | 120 | 12:35 p.m. May 8 | May 8 |
| 2777 | 121 | 12:35 p.m. May 8 | May 8 |
| 3466 | 122 | 12:37 p.m. May 8 | May 8 |
| 817  | 123 | 12:38 p.m. May 8 | May 8 |
| 1975 | 124 | 12:39 p.m. May 8 | May 8 |
| 3622 | 125 | 12:40 p.m. May 8 | May 8 |

Sincerely,

STEVE SIMON  
Secretary of State

### REPORTS OF STANDING COMMITTEES AND DIVISIONS

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 1180, A bill for an act relating to transportation; prohibiting certain use of cellular phones while driving; amending Minnesota Statutes 2016, sections 169.011, subdivision 94; 169.475.

Reported the same back with the following amendments:

Page 1, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2016, section 169.475, is amended to read:

#### **169.475 USE OF WIRELESS COMMUNICATIONS DEVICE.**

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

(b) "Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. An electronic message includes, but is not limited to, ~~e-mail, a text message, an instant message, a command or request to access a World Wide Web page;~~ e-mail; a text message; an instant message; a command or request to access a World Wide Web page; video content, whether Web-based, stored on the device, or accessed in any other manner; images; pictures; or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include voice or other data transmitted as a result of making a phone call, or data transmitted automatically by a wireless communications device without direct initiation by a person.

(c) "Voice-activated or hands-free mode" means an attachment, accessory, application, wireless connection, or built-in feature of a wireless communications device or vehicle that allows the user to:

(1) vocally compose or send, or to listen to a text-based communication without the use of either hand except to activate or deactivate a feature or function; or

(2) engage in a phone call without the use of either hand except to activate or deactivate a feature or function.

Subd. 2. **Prohibition on use; penalty.** (a) ~~No~~ Except as provided in subdivision 3, when a motor vehicle is in motion or a part of traffic, the person may operate a motor operating the vehicle while is prohibited from using:

(1) a wireless communications device to initiate, compose, read, or send an electronic message, when the vehicle is in motion or a part of traffic; or

(2) a cellular phone, including but not limited to initiating a cellular phone call and talking or listening on the phone.

(b) When a motor vehicle is in motion or a part of traffic, the person operating the vehicle is prohibited from using a wireless communications device to view video content, whether Web-based, stored on the device, or accessed in any other manner. This paragraph does not apply to viewing a global positioning system or navigation system.

(c) A person who violates paragraph paragraphs (a) and (b) a second or subsequent time must pay a fine of \$225, plus the amount specified in the uniform fine schedule established by the Judicial Council.

(d) For purposes of this subdivision, a motor vehicle is not considered to be in motion or a part of traffic if the vehicle is legally pulled over to the side of the road, has come to a complete stop, and is not obstructing traffic.

Subd. 3. **Exceptions.** ~~This section does~~ (a) The prohibitions in subdivision 2, paragraph (a), do not apply if a wireless communications device is used:

(1) solely in a voice-activated or other hands-free mode to make or participate in a phone call or to initiate, compose, read, or send an electronic message;

(2) ~~for making a cellular phone call;~~

(3) ~~for obtaining~~ to obtain emergency assistance to (i) report a traffic accident, medical emergency, or serious traffic hazard, or (ii) prevent a crime about to be committed;

(4) (3) in the reasonable belief that a person's life or safety is in immediate danger; or

(5) (4) in an authorized emergency vehicle while in the performance of official duties.

(b) This section does not apply to a device that is functioning solely as a global positioning system or navigation system that is temporarily affixed to the vehicle.

(c) The prohibition in subdivision 2, paragraph (a), clause (2), does not apply to the use of a cellular phone that is temporarily affixed to the vehicle to listen to audio-based content.

**EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to acts committed on or after that date."

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

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 1440, A bill for an act relating to health; establishing the Opioid Addiction Prevention and Treatment Advisory Council; establishing a special revenue fund for opioid addiction prevention and treatment; modifying substance use disorder treatment provider requirements; appropriating money; requiring reports; amending Minnesota Statutes 2017 Supplement, section 245G.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 151.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
OPIOID ADDICTION ADVISORY COUNCIL AND ACCOUNT

Section 1. **[151.255] OPIOID ADDICTION PREVENTION AND TREATMENT ADVISORY COUNCIL.**

Subdivision 1. **Establishment of advisory council.** (a) The Opioid Addiction Prevention and Treatment Advisory Council is established to confront the opioid addiction and overdose epidemic in this state and focus on:

(1) prevention and education, including public education and awareness for adults and youth, prescriber education, and the development and sustainability of substance use disorder programs;

(2) the expansion and enhancement of a continuum of care for opioid-related substance use disorders, including primary prevention, early intervention, treatment, and recovery services;

(3) training on the treatment of opioid addiction, including the use of all FDA-approved opioid addiction medications, detoxification, relapse prevention, patient assessment, individual treatment planning, counseling, recovery supports, diversion control, and other best practices; and

(4) services to ensure overdose prevention as well as public safety and community well-being, including expanding access to FDA-approved opioid addiction medications and providing social services to families affected by the opioid overdose epidemic.

(b) The council shall:

(1) review local, state, and federal initiatives and activities related to education, prevention, and services for individuals and families experiencing and affected by opioid addiction;

(2) establish priorities and actions to address the state's opioid epidemic for the purpose of allocating funds;

(3) ensure optimal allocation of available funding and alignment of existing state and federal funding to achieve the greatest impact and ensure a coordinated state effort;

(4) develop criteria and procedures to be used in awarding grants and allocating available funds from the opioid addiction prevention and treatment account; and

(5) develop measurable outcomes to determine the effectiveness of the funds allocated.

(c) The council shall make recommendations on grant and funding options for the funds annually appropriated to the commissioner of human services from the opioid addiction prevention and treatment account. The options for funding may include, but are not limited to: prescriber education; the development and sustainability of prevention

programs; the creation of a continuum of care for opioid-related substance abuse disorders, including primary prevention, early intervention, treatment, and recovery services; and additional funding for child protection case management services for children and families affected by opioid addiction. The council shall submit recommendations for funding options to the commissioner of human services and to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance by March 1 of each year, beginning March 1, 2019.

Subd. 2. **Membership.** (a) The council shall consist of 21 members appointed by the commissioner of human services, except as otherwise specified:

(1) two members of the house of representatives, one from the majority party appointed by the speaker of the house and one from the minority party appointed by the minority leader of the house of representatives;

(2) two members of the senate, one from the majority party appointed by the senate majority leader and one from the minority party appointed by the senate minority leader;

(3) one member appointed by the Board of Pharmacy;

(4) one member who is a medical doctor appointed by the Minnesota chapter of the American College of Emergency Physicians;

(5) one member representing programs licensed under chapter 245G that specialize in serving people with opioid use disorders;

(6) one member representing the National Alliance on Mental Illness (NAMI);

(7) one member who is a medical doctor appointed by the Minnesota Society of Addiction Medicine;

(8) one member representing professionals providing alternative pain management therapies;

(9) the commissioner of education or a designee;

(10) one member appointed by the Minnesota Ambulance Association;

(11) one member representing the Minnesota courts who is a judge or law enforcement officer;

(12) one member representing the Minnesota Hospital Association;

(13) one member representing an Indian tribe;

(14) the commissioner of human services or a designee;

(15) the commissioner of corrections or a designee;

(16) one advanced practice registered nurse appointed by the Board of Nursing;

(17) the commissioner of health or a designee;

(18) one member representing a local health department; and

(19) one member representing a nonprofit entity specializing in providing support to persons recovering from substance use disorder.

(b) The commissioner shall coordinate appointments to provide geographic diversity and shall ensure that at least one-half of council members reside outside of the seven-county metropolitan area.

(c) The council is governed by section 15.059, except that members of the council shall receive no compensation other than reimbursement for expenses. Notwithstanding section 15.059, subdivision 6, the council shall not expire.

(d) The chair shall convene the council semiannually, and may convene other meetings as necessary. The chair shall convene meetings at different locations in the state to provide geographic access and shall ensure that at least one-half of the meetings are held at locations outside of the seven-county metropolitan area.

(e) The commissioner of human services shall provide staff and administrative services for the advisory council.

(f) The council is subject to chapter 13D.

**Sec. 2. [151.256] OPIOID ADDICTION PREVENTION AND TREATMENT ACCOUNT.**

Subdivision 1. **Establishment.** The opioid addiction prevention and treatment account is established in the special revenue fund in the state treasury. All state appropriations to the account, and any federal funds or grant dollars received for the prevention and treatment of opioid addiction, shall be deposited into the account.

Subd. 2. **Use of account funds.** (a) For fiscal year 2019, money in the account is appropriated as provided in this act.

(b) For fiscal year 2020 and subsequent fiscal years, money in the opioid addiction prevention and treatment account is appropriated to the commissioner of human services, to be awarded, in consultation with the Opioid Addiction Prevention and Treatment Advisory Council, as grants or as other funding as determined appropriate to address the opioid epidemic in the state. Grants or other funding may be provided to continue or expand initiatives funded by this act for fiscal year 2019. Each recipient of grants or funding shall report to the commissioner and the advisory council on how the funds were spent and the outcomes achieved, in the form and manner specified by the commissioner.

Subd. 3. **Annual report.** Beginning December 1, 2019, and each December 1 thereafter, the commissioner, in consultation with the Opioid Addiction Prevention and Treatment Advisory Council, shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance on the grants and funds awarded under this section and the outcomes achieved. Each report must also identify those instances for which the commissioner did not follow the recommendations of the advisory council and the commissioner's rationale for taking this action.

**Sec. 3. ADVISORY COUNCIL FIRST MEETING.**

The commissioner of human services shall convene the first meeting of the Opioid Addiction Prevention and Treatment Advisory Council established under Minnesota Statutes, section 151.255, no later than October 1, 2018. The members shall elect a chair at the first meeting.

ARTICLE 2  
PROVIDER AND OTHER REQUIREMENTS

Section 1. Minnesota Statutes 2016, section 151.214, subdivision 2, is amended to read:



Subd. 2. **No prohibition on disclosure.** No contracting agreement between an employer-sponsored health plan or health plan company, or its contracted pharmacy benefit manager, and a resident or nonresident pharmacy ~~registered~~ licensed under this chapter, may prohibit ~~the~~:

(1) a pharmacy from disclosing to patients information a pharmacy is required or given the option to provide under subdivision 1; or

(2) a pharmacist from informing a patient when the amount the patient is required to pay under the patient's health plan for a particular drug is greater than the amount the patient would be required to pay for the same drug if purchased out-of-pocket at the pharmacy's usual and customary price.

Sec. 2. Minnesota Statutes 2016, section 151.71, is amended by adding a subdivision to read:

**Subd. 3. Lowest cost to consumers.** (a) A health plan company or pharmacy benefits manager shall not require an individual to make a payment at the point of sale for a covered prescription medication in an amount greater than the allowable cost to consumers, as defined in paragraph (b).

(b) For purposes of paragraph (a), "allowable cost to consumers" means the lowest of: (1) the applicable co-payment for the prescription medication; or (2) the amount an individual would pay for the prescription medication if the individual purchased the prescription medication without using a health plan benefit.

Sec. 3. Minnesota Statutes 2017 Supplement, section 245G.05, subdivision 1, is amended to read:

Subdivision 1. **Comprehensive assessment.** (a) A comprehensive assessment of the client's substance use disorder must be administered face-to-face by an alcohol and drug counselor within three calendar days after service initiation for a residential program or during the initial session for all other programs. A program may permit a licensed staff person who is not qualified as an alcohol and drug counselor to interview the client in areas of the comprehensive assessment that are otherwise within the competencies and scope of practice of that licensed staff person and an alcohol and drug counselor does not need to be face-to-face with the client during this interview. The alcohol and drug counselor must review all of the information contained in a comprehensive assessment and, by signature, confirm the information is accurate and complete and meets the requirements for the comprehensive assessment. If the comprehensive assessment is not completed during the initial session, the client-centered reason for the delay must be documented in the client's file and the planned completion date. If the client received a comprehensive assessment that authorized the treatment service, an alcohol and drug counselor must review the assessment to determine compliance with this subdivision, including applicable timelines. If available, the alcohol and drug counselor may use current information provided by a referring agency or other source as a supplement. Information gathered more than 45 days before the date of admission is not considered current. The comprehensive assessment must include sufficient information to complete the assessment summary according to subdivision 2 and the individual treatment plan according to section 245G.06. The comprehensive assessment must include information about the client's needs that relate to substance use and personal strengths that support recovery, including:

(1) age, sex, cultural background, sexual orientation, living situation, economic status, and level of education;

(2) circumstances of service initiation;

(3) previous attempts at treatment for substance misuse or substance use disorder, compulsive gambling, or mental illness;

(4) substance use history including amounts and types of substances used, frequency and duration of use, periods of abstinence, and circumstances of relapse, if any. For each substance used within the previous 30 days, the information must include the date of the most recent use and previous withdrawal symptoms;

(5) specific problem behaviors exhibited by the client when under the influence of substances;

(6) family status, family history, including history or presence of physical or sexual abuse, level of family support, and substance misuse or substance use disorder of a family member or significant other;

(7) physical concerns or diagnoses, the severity of the concerns, and whether the concerns are being addressed by a health care professional;

(8) mental health history and psychiatric status, including symptoms, disability, current treatment supports, and psychotropic medication needed to maintain stability; the assessment must utilize screening tools approved by the commissioner pursuant to section 245.4863 to identify whether the client screens positive for co-occurring disorders;

(9) arrests and legal interventions related to substance use;

(10) ability to function appropriately in work and educational settings;

(11) ability to understand written treatment materials, including rules and the client's rights;

(12) risk-taking behavior, including behavior that puts the client at risk of exposure to blood-borne or sexually transmitted diseases;

(13) social network in relation to expected support for recovery and leisure time activities that are associated with substance use;

(14) whether the client is pregnant and, if so, the health of the unborn child and the client's current involvement in prenatal care;

(15) whether the client recognizes problems related to substance use and is willing to follow treatment recommendations; and

(16) collateral information. If the assessor gathered sufficient information from the referral source or the client to apply the criteria in Minnesota Rules, parts 9530.6620 and 9530.6622, a collateral contact is not required.

(b) If the client is identified as having opioid use disorder or seeking treatment for opioid use disorder, the program must provide educational information to the client concerning:

(1) risks for opioid use disorder and dependence;

(2) treatment options, including the use of a medication for opioid use disorder;

(3) the risk of and recognizing opioid overdose; and

(4) the use, availability, and administration of naloxone to respond to opioid overdose.

(c) The commissioner shall develop educational materials that are supported by research and updated periodically. The license holder must use the educational materials that are approved by the commissioner to comply with this requirement.

(d) If the comprehensive assessment is completed to authorize treatment service for the client, at the earliest opportunity during the assessment interview the assessor shall determine if:

- (1) the client is in severe withdrawal and likely to be a danger to self or others;
- (2) the client has severe medical problems that require immediate attention; or
- (3) the client has severe emotional or behavioral symptoms that place the client or others at risk of harm.

If one or more of the conditions in clauses (1) to (3) are present, the assessor must end the assessment interview and follow the procedures in the program's medical services plan under section 245G.08, subdivision 2, to help the client obtain the appropriate services. The assessment interview may resume when the condition is resolved.

Sec. 4. Minnesota Statutes 2017 Supplement, section 254A.03, subdivision 3, is amended to read:

Subd. 3. **Rules for substance use disorder care.** (a) The commissioner of human services shall establish by rule criteria to be used in determining the appropriate level of chemical dependency care for each recipient of public assistance seeking treatment for substance misuse or substance use disorder. Upon federal approval of a comprehensive assessment as a Medicaid benefit, or on July 1, 2018, whichever is later, and notwithstanding the criteria in Minnesota Rules, parts 9530.6600 to 9530.6655, an eligible vendor of comprehensive assessments under section 254B.05 may determine and approve the appropriate level of substance use disorder treatment for a recipient of public assistance. The process for determining an individual's financial eligibility for the consolidated chemical dependency treatment fund or determining an individual's enrollment in or eligibility for a publicly subsidized health plan is not affected by the individual's choice to access a comprehensive assessment for placement.

(b) The commissioner shall develop and implement a utilization review process for publicly funded treatment placements to monitor and review the clinical appropriateness and timeliness of all publicly funded placements in treatment.

(c) Notwithstanding section 254B.05, subdivision 5, paragraph (b), clause (2), an individual employed by a county on July 1, 2018, who has been performing assessments for the purpose of Minnesota Rules, part 9530.6615, is qualified to perform a comprehensive assessment if the following conditions are met as of July 1, 2018:

- (1) the individual is exempt from licensure under section 148F.11, subdivision 1;
- (2) the individual is qualified as an assessor under Minnesota Rules, part 9530.6615, subpart 2; and
- (3) the individual has three years employment as an assessor or is under the supervision of an individual who meets the requirements of an alcohol and drug counselor supervisor under section 245G.11, subdivision 4.

After June 30, 2020, an individual qualified to do a comprehensive assessment under this paragraph must additionally demonstrate completion of the applicable coursework requirements of section 245G.11, subdivision 5, paragraph (b).

### ARTICLE 3 PREVENTION, EDUCATION, AND RESEARCH

Section 1. Minnesota Statutes 2017 Supplement, section 120B.021, subdivision 1, is amended to read:

Subdivision 1. **Required academic standards.** (a) The following subject areas are required for statewide accountability:

(1) language arts;

(2) mathematics;

(3) science;

(4) social studies, including history, geography, economics, and government and citizenship that includes civics consistent with section 120B.02, subdivision 3;

(5) physical education;

(6) health, for which locally developed academic standards apply, consistent with paragraph (e); and

(7) the arts, for which statewide or locally developed academic standards apply, as determined by the school district. Public elementary and middle schools must offer at least three and require at least two of the following four arts areas: dance; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

(b) For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

(c) The department must adopt the most recent SHAPE America (Society of Health and Physical Educators) kindergarten through grade 12 standards and benchmarks for physical education as the required physical education academic standards. The department may modify and adapt the national standards to accommodate state interest. The modification and adaptations must maintain the purpose and integrity of the national standards. The department must make available sample assessments, which school districts may use as an alternative to local assessments, to assess students' mastery of the physical education standards beginning in the 2018-2019 school year.

(d) A school district may include child sexual abuse prevention instruction in a health curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention instruction may include age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may provide instruction under this paragraph in a variety of ways, including at an annual assembly or classroom presentation. A school district may also provide parents information on the warning signs of child sexual abuse and available resources.

(e) A school district must include instruction in a health curriculum for students in grades 5, 6, 8, 10, and 12 on substance misuse prevention, including opioids; controlled substances as defined in section 152.01, subdivision 4; prescription and nonprescription medications; and illegal drugs. A school district is not required to use a specific methodology or curriculum.

~~(e)~~ (f) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.

**EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

Sec. 2. **[120B.215] SUBSTANCE MISUSE PREVENTION.**

(a) This section may be cited as "Jake's Law."

(b) School districts and charter schools are encouraged to provide substance misuse prevention instruction for students in grades 5 through 12 integrated into existing programs, curriculum, or the general school environment of a district or charter school. The commissioner of education, in consultation with the director of the Alcohol and Other Drug Abuse Section under section 254A.03 and substance misuse prevention and treatment organizations, must, upon request, provide districts and charter schools with:

(1) information regarding substance misuse prevention services; and

(2) assistance in using Minnesota student survey results to inform prevention programs.

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

Sec. 3. **[151.72] VOLUNTARY NONOPIOID DIRECTIVE.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions apply.

(b) "Board" means the Board of Pharmacy.

(c) "Opioid" means any product containing opium or opiates listed in section 152.02, subdivision 3, paragraphs (b) and (c); any product containing narcotics listed in section 152.02, subdivision 4, paragraphs (e) and (h); or any product containing narcotic drugs listed in section 152.02, subdivision 5, paragraph (b), other than products containing difenoxin or eluxadolone.

Subd. 2. **Execution of directive.** (a) An individual who is 18 years of age or older or an emancipated minor, a parent or legal guardian of a minor, or an individual's guardian or other person appointed by the individual or the court to manage the individual's health care may execute a voluntary nonopioid directive instructing health care providers that an opioid may not be administered or prescribed to the individual or the minor. The directive must be in the format prescribed by the board. The person executing the directive may submit the directive to a health care provider or hospital.

(b) An individual executing a directive may revoke the directive at any time in writing or orally.

Subd. 3. **Duties of the board.** (a) The board shall adopt rules establishing guidelines to govern the use of voluntary nonopioid health care directives. The guidelines must:

(1) include verification by a health care provider and comply with the written consent requirements under United States Code, title 42, section 290dd-2(b);

(2) specify standard procedures for the person executing a directive to use when submitting the directive to a health care provider or hospital;

(3) specify procedures to include the directive in the individual's medical record or interoperable electronic health record, and to submit the directive to the prescription monitoring program database;

(4) specify procedures to modify, override, or revoke a directive;

(5) include exemptions for the administration of naloxone or other opioid overdose drugs in an emergency situation;

(6) ensure the confidentiality of a voluntary nonopioid directive; and

(7) ensure exemptions for an opioid used to treat substance abuse or opioid dependence.

**Subd. 4. Exemption from liability.** (a) A health care provider, a hospital, or an employee of a health care provider or hospital may not be subject to disciplinary action by the health care provider's or employee's professional licensing board or held civilly or criminally liable for failure to administer, prescribe, or dispense an opioid, or for inadvertent administration of an opioid, to an individual or minor who has a voluntary nonopioid directive.

(b) A prescription presented to a pharmacy is presumed to be valid, and a pharmacist may not be subject to disciplinary action by the pharmacist's professional licensing board or held civilly or criminally liable for dispensing an opioid in contradiction to an individual's or minor's voluntary nonopioid directive.

**Subd. 5. Construction.** Nothing in this section shall be construed to:

(1) alter a health care directive under chapter 145C;

(2) limit the prescribing, dispensing, or administering of an opioid overdose drug; or

(3) limit an authorized health care provider or pharmacist from prescribing, dispensing, or administering an opioid for the treatment of substance abuse or opioid dependence.

Sec. 4. Minnesota Statutes 2017 Supplement, section 152.105, subdivision 2, is amended to read:

**Subd. 2. Sheriff to maintain collection receptacle.** The sheriff of each county shall maintain or contract for the maintenance of at least one collection receptacle for the disposal of noncontrolled substances, pharmaceutical controlled substances, and other legend drugs, as permitted by federal law. For purposes of this section, "legend drug" has the meaning given in section 151.01, subdivision 17. The collection receptacle must comply with federal law. In maintaining and operating the collection receptacle, the sheriff shall follow all applicable provisions of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305, 1307, and 1317, as amended through May 1, 2017. The sheriff of each county may meet the requirements of this subdivision through the use of an alternative method for the disposal of noncontrolled substances, pharmaceutical controlled substances, and other legend drugs that has been approved by the Board of Pharmacy. This may include making available to the public, without charge, at-home prescription drug deactivation and disposal products that render drugs and medications inert and irretrievable.

Sec. 5. Minnesota Statutes 2016, section 152.11, subdivision 2d, is amended to read:

**Subd. 2d. Identification requirement for ~~Schedule II or III~~ controlled substance prescriptions.** ~~(a)~~ No person may dispense a controlled substance included in ~~Schedule II or III~~ Schedules II through V without requiring the person purchasing the controlled substance, who need not be the ~~person~~ patient for whom the controlled substance prescription is written, to present valid photographic identification, unless the person purchasing the controlled substance, ~~or if applicable the person for whom the controlled substance prescription is written,~~ is known to the dispenser. A doctor of veterinary medicine who dispenses a controlled substance must comply with this subdivision.

~~(b) This subdivision applies only to purchases of controlled substances that are not covered, in whole or in part, by a health plan company or other third-party payor.~~

Sec. 6. Minnesota Statutes 2016, section 152.11, is amended by adding a subdivision to read:

**Subd. 5. Limitations on the dispensing of opioid prescription drug orders.** (a) No prescription drug order for an opioid drug listed in Schedule II may be dispensed by a pharmacist or other dispenser more than 30 days after the date on which the prescription drug order was issued.

(b) No prescription drug order for an opioid drug listed in Schedules III through V may be initially dispensed by a pharmacist or other dispenser more than 30 days after the date on which the prescription drug order was issued. No prescription drug order for an opioid drug listed in Schedules III through V may be refilled by a pharmacist or other dispenser more than 30 days after the previous date on which it was dispensed.

(c) For purposes of this section, "dispenser" has the meaning given in section 152.126, subdivision 1.

Sec. 7. Minnesota Statutes 2016, section 152.11, is amended by adding a subdivision to read:

**Subd. 6. Limit on quantity of opiates prescribed for acute pain associated with a major trauma or surgical procedure.** (a) When used for the treatment of acute pain associated with a major trauma or surgical procedure, initial prescriptions for opiate or narcotic pain relievers listed in Schedules II through IV of section 152.02 shall not exceed a seven-day supply. The quantity prescribed shall be consistent with the dosage listed in the professional labeling for the drug that has been approved by the United States Food and Drug Administration.

(b) For the purposes of this subdivision, "acute pain" means pain resulting from disease, accidental or intentional trauma, surgery, or another cause that the practitioner reasonably expects to last only a short period of time. Acute pain does not include chronic pain or pain being treated as part of cancer care, palliative care, or hospice or other end-of-life care.

(c) Notwithstanding paragraph (a), if in the professional clinical judgment of a practitioner more than a seven-day supply of a prescription listed in Schedules II through IV of section 152.02 is required to treat a patient's acute pain, the practitioner may issue a prescription for the quantity needed to treat such acute pain.

(d) This subdivision does not apply to the treatment of acute dental pain or acute pain associated with refractive surgery, and the quantity of opiates that may be prescribed for those conditions is governed by subdivision 4.

Sec. 8. Minnesota Statutes 2016, section 214.12, is amended by adding a subdivision to read:

**Subd. 6. Opioid and controlled substances prescribing.** (a) The Board of Medical Practice, the Board of Nursing, the Board of Dentistry, the Board of Optometry, and the Board of Podiatric Medicine shall require that licensees with the authority to prescribe controlled substances obtain at least two hours of continuing education credit on best practices in prescribing opioids and controlled substances, as part of the continuing education requirements for licensure renewal. Licensees shall not be required to complete more than two credit hours of continuing education on best practices in prescribing opioids and controlled substances before this subdivision expires. Continuing education credit on best practices in prescribing opioids and controlled substances must meet board requirements.

(b) This subdivision expires January 1, 2023.

**EFFECTIVE DATE.** This section is effective January 1, 2019.

ARTICLE 4  
INTERVENTION, TREATMENT, AND RECOVERY

Section 1. Minnesota Statutes 2016, section 145.9269, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section and section 145.9272, "federally qualified health center" means an entity that is receiving a grant under United States Code, title 42, section 254b, or, based on the recommendation of the Health Resources and Services Administration within the Public Health Service, is determined by the secretary to meet the requirements for receiving such a grant.

Sec. 2. **[145.9272] FEDERALLY QUALIFIED HEALTH CENTERS; GRANTS FOR INTEGRATED COMMUNITY-BASED OPIOID ADDICTION AND SUBSTANCE USE DISORDER TREATMENT, RECOVERY, AND PREVENTION PROGRAMS.**

Subdivision 1. Grant program established. The commissioner of health shall distribute grants to federally qualified health centers operating in Minnesota as of January 1, 2018, for integrated, community-based programs in primary care settings to treat, prevent, and raise awareness of opioid addiction and substance use disorders.

Subd. 2. Grant allocation. (a) For each grant cycle, the commissioner shall allocate grants to federally qualified health centers operating in Minnesota as of January 1, 2018, through a competitive process and according to the following guidelines:

(1) 25 percent of the funds shall be for federally qualified health centers to establish new opioid addiction and substance use disorder programs;

(2) 70 percent of the funds shall be for federally qualified health centers with existing opioid addiction and substance use disorder programs to expand these programs to serve additional low-income patients; and

(3) five percent of the funds shall be for federally qualified health centers to invest in network infrastructure and evaluation activities, to identify and document successful opioid addiction and substance use disorder prevention and treatment strategies for rural or underserved populations.

(b) The commissioner shall ensure, for each grant cycle, that at least 30 percent of the funds are allocated to federally qualified health centers in the state located outside the seven-county metropolitan area and that each federally qualified health center in the state is allocated at least three percent of the total amount available for that grant cycle.

(c) The commissioner shall consult with a state organization representing Minnesota's community health centers to assess and classify the levels of substance use disorder services and programs available at federally qualified health centers in the state as of July 1, 2018, and to develop measures for federally qualified health centers to use in assessing the effectiveness of substance use disorder programs funded under this section in supporting sobriety and long-term recovery, stopping cycles of intergenerational substance use, enabling patients to return to work or school, and supporting family unity.

Subd. 3. Allowable uses for grant funds. In establishing a new opioid addiction and substance use disorder program or expanding an existing program, a federally qualified health center must use grant funds distributed under this section for one or more of the following activities:

(1) integrating behavioral health services and substance use disorder services on-site at the federally qualified health center or off-site through partnerships with other providers;



(2) establishing or expanding programs in which patients with substance use disorders receive services using integrated, interprofessional care teams;

(3) implementing or expanding patient care coordination, outreach, and education services related to substance use disorders;

(4) implementing or expanding medication assisted treatment by providing, directly or by referral, all drugs approved by the Food and Drug Administration for the treatment of opioid use disorder, including maintenance, detoxification, overdose reversal, and relapse prevention;

(5) implementing and evaluating specific, effective substance use disorder interventions tailored to specific populations, including but not limited to communities of color, individuals experiencing homelessness, veterans, and adolescents;

(6) developing infrastructure, including infrastructure to allow for telehealth services, for federally qualified health center networks to support coordinated interventions across delivery systems; and

(7) training current and future health care professionals and students, including dental providers.

Subd. 4. **Reports.** After the conclusion of each grant cycle, each federally qualified health center shall report to the commissioner, at a time and in a manner specified by the commissioner, data regarding the effectiveness measures developed under subdivision 2. The commissioner shall compile this information into a report for each grant cycle and shall provide the report to the chairs and ranking minority members of the legislative committees with jurisdiction over health care.

Sec. 3. Minnesota Statutes 2016, section 151.01, subdivision 27, is amended to read:

Subd. 27. **Practice of pharmacy.** "Practice of pharmacy" means:

(1) interpretation and evaluation of prescription drug orders;

(2) compounding, labeling, and dispensing drugs and devices (except labeling by a manufacturer or packager of nonprescription drugs or commercially packaged legend drugs and devices);

(3) participation in clinical interpretations and monitoring of drug therapy for assurance of safe and effective use of drugs, including the performance of laboratory tests that are waived under the federal Clinical Laboratory Improvement Act of 1988, United States Code, title 42, section 263a et seq., provided that a pharmacist may interpret the results of laboratory tests but may modify drug therapy only pursuant to a protocol or collaborative practice agreement;

(4) participation in drug and therapeutic device selection; drug administration for first dosage, injectable or implantable medications to treat substance use disorders, and medical emergencies; drug regimen reviews; and drug or drug-related research;

(5) participation in administration of influenza vaccines to all eligible individuals six years of age and older and all other vaccines to patients 13 years of age and older by written protocol with a physician licensed under chapter 147, a physician assistant authorized to prescribe drugs under chapter 147A, or an advanced practice registered nurse authorized to prescribe drugs under section 148.235, provided that:

(i) the protocol includes, at a minimum:

- (A) the name, dose, and route of each vaccine that may be given;
  - (B) the patient population for whom the vaccine may be given;
  - (C) contraindications and precautions to the vaccine;
  - (D) the procedure for handling an adverse reaction;
  - (E) the name, signature, and address of the physician, physician assistant, or advanced practice registered nurse;
  - (F) a telephone number at which the physician, physician assistant, or advanced practice registered nurse can be contacted; and
  - (G) the date and time period for which the protocol is valid;
- (ii) the pharmacist has successfully completed a program approved by the Accreditation Council for Pharmacy Education specifically for the administration of immunizations or a program approved by the board;
  - (iii) the pharmacist utilizes the Minnesota Immunization Information Connection to assess the immunization status of individuals prior to the administration of vaccines, except when administering influenza vaccines to individuals age nine and older;
  - (iv) the pharmacist reports the administration of the immunization to the Minnesota Immunization Information Connection; and
  - (v) the pharmacist complies with guidelines for vaccines and immunizations established by the federal Advisory Committee on Immunization Practices, except that a pharmacist does not need to comply with those portions of the guidelines that establish immunization schedules when administering a vaccine pursuant to a valid, patient-specific order issued by a physician licensed under chapter 147, a physician assistant authorized to prescribe drugs under chapter 147A, or an advanced practice nurse authorized to prescribe drugs under section 148.235, provided that the order is consistent with the United States Food and Drug Administration approved labeling of the vaccine;
- (6) participation in the initiation, management, modification, and discontinuation of drug therapy according to a written protocol or collaborative practice agreement between: (i) one or more pharmacists and one or more dentists, optometrists, physicians, podiatrists, or veterinarians; or (ii) one or more pharmacists and one or more physician assistants authorized to prescribe, dispense, and administer under chapter 147A, or advanced practice nurses authorized to prescribe, dispense, and administer under section 148.235. Any changes in drug therapy made pursuant to a protocol or collaborative practice agreement must be documented by the pharmacist in the patient's medical record or reported by the pharmacist to a practitioner responsible for the patient's care;
  - (7) participation in the storage of drugs and the maintenance of records;
  - (8) patient counseling on therapeutic values, content, hazards, and uses of drugs and devices;
  - (9) offering or performing those acts, services, operations, or transactions necessary in the conduct, operation, management, and control of a pharmacy; and
  - (10) participation in the initiation, management, modification, and discontinuation of therapy with opiate antagonists, as defined in section 604A.04, subdivision 1, pursuant to:
    - (i) a written protocol as allowed under clause (6); or

(ii) a written protocol with a community health board medical consultant or a practitioner designated by the commissioner of health, as allowed under section 151.37, subdivision 13.

Sec. 4. Minnesota Statutes 2016, section 151.37, subdivision 12, is amended to read:

Subd. 12. **Administration of opiate antagonists for drug overdose.** (a) A licensed physician, a licensed advanced practice registered nurse authorized to prescribe drugs pursuant to section 148.235, or a licensed physician assistant authorized to prescribe drugs pursuant to section 147A.18 may authorize the following individuals to administer opiate antagonists, as defined in section 604A.04, subdivision 1:

- (1) an emergency medical responder registered pursuant to section 144E.27;
- (2) a peace officer as defined in section 626.84, subdivision 1, paragraphs (c) and (d); ~~and~~
- (3) staff of community-based health disease prevention or social service programs;
- (4) a probation or supervised release officer; and
- (5) a volunteer firefighter.

(b) For the purposes of this subdivision, opiate antagonists may be administered by one of these individuals only if:

- (1) the licensed physician, licensed physician assistant, or licensed advanced practice registered nurse has issued a standing order to, or entered into a protocol with, the individual; and
- (2) the individual has training in the recognition of signs of opiate overdose and the use of opiate antagonists as part of the emergency response to opiate overdose.

(c) Nothing in this section prohibits the possession and administration of naloxone pursuant to section 604A.04.

Sec. 5. Minnesota Statutes 2017 Supplement, section 254B.12, subdivision 3, is amended to read:

Subd. 3. **Chemical dependency provider rate increase.** For the chemical dependency services listed in section 254B.05, subdivision 5, and provided on or after July 1, ~~2017~~ 2018, payment rates shall be increased by ~~one percent~~ a percentage established by the commissioner, based on the available appropriation, over the rates in effect on January 1, ~~2017~~ 2018, for vendors who meet the requirements of section 254B.05.

Sec. 6. Minnesota Statutes 2016, section 256B.0625, subdivision 13e, is amended to read:

Subd. 13e. **Payment rates.** (a) The basis for determining the amount of payment shall be the lower of the actual acquisition costs of the drugs or the maximum allowable cost by the commissioner plus the fixed dispensing fee; or the usual and customary price charged to the public. The amount of payment basis must be reduced to reflect all discount amounts applied to the charge by any provider/insurer agreement or contract for submitted charges to medical assistance programs. The net submitted charge may not be greater than the patient liability for the service. The pharmacy dispensing fee shall be \$3.65 for legend prescription drugs, except that the dispensing fee for intravenous solutions which must be compounded by the pharmacist shall be \$8 per bag, \$14 per bag for cancer chemotherapy products, and \$30 per bag for total parenteral nutritional products dispensed in one liter quantities, or \$44 per bag for total parenteral nutritional products dispensed in quantities greater than one liter. The pharmacy dispensing fee for over-the-counter drugs shall be \$3.65, except that the fee shall be \$1.31 for retrospectively billing pharmacies when billing for quantities less than the number of units contained in the manufacturer's original package. Actual acquisition cost includes quantity and other special discounts except time and cash discounts. The

actual acquisition cost of a drug shall be estimated by the commissioner at wholesale acquisition cost plus four percent for independently owned pharmacies located in a designated rural area within Minnesota, and at wholesale acquisition cost plus two percent for all other pharmacies. A pharmacy is "independently owned" if it is one of four or fewer pharmacies under the same ownership nationally. A "designated rural area" means an area defined as a small rural area or isolated rural area according to the four-category classification of the Rural Urban Commuting Area system developed for the United States Health Resources and Services Administration. Effective January 1, 2014, the actual acquisition cost of a drug acquired through the federal 340B Drug Pricing Program shall be estimated by the commissioner at wholesale acquisition cost minus 40 percent. Wholesale acquisition cost is defined as the manufacturer's list price for a drug or biological to wholesalers or direct purchasers in the United States, not including prompt pay or other discounts, rebates, or reductions in price, for the most recent month for which information is available, as reported in wholesale price guides or other publications of drug or biological pricing data. The maximum allowable cost of a multisource drug may be set by the commissioner and it shall be comparable to, but no higher than, the maximum amount paid by other third-party payors in this state who have maximum allowable cost programs. Establishment of the amount of payment for drugs shall not be subject to the requirements of the Administrative Procedure Act.

(b) Pharmacies dispensing prescriptions to residents of long-term care facilities using an automated drug distribution system meeting the requirements of section 151.58, or a packaging system meeting the packaging standards set forth in Minnesota Rules, part 6800.2700, that govern the return of unused drugs to the pharmacy for reuse, may employ retrospective billing for prescription drugs dispensed to long-term care facility residents. A retrospectively billing pharmacy must submit a claim only for the quantity of medication used by the enrolled recipient during the defined billing period. A retrospectively billing pharmacy must use a billing period not less than one calendar month or 30 days.

(c) An additional dispensing fee of \$.30 may be added to the dispensing fee paid to pharmacists for legend drug prescriptions dispensed to residents of long-term care facilities when a unit dose blister card system, approved by the department, is used. Under this type of dispensing system, the pharmacist must dispense a 30-day supply of drug. The National Drug Code (NDC) from the drug container used to fill the blister card must be identified on the claim to the department. The unit dose blister card containing the drug must meet the packaging standards set forth in Minnesota Rules, part 6800.2700, that govern the return of unused drugs to the pharmacy for reuse. A pharmacy provider using packaging that meets the standards set forth in Minnesota Rules, part 6800.2700, is required to credit the department for the actual acquisition cost of all unused drugs that are eligible for reuse, unless the pharmacy is using retrospective billing. The commissioner may permit the drug clozapine to be dispensed in a quantity that is less than a 30-day supply.

(d) Whenever a maximum allowable cost has been set for a multisource drug, payment shall be the lower of the usual and customary price charged to the public or the maximum allowable cost established by the commissioner unless prior authorization for the brand name product has been granted according to the criteria established by the Drug Formulary Committee as required by subdivision 13f, paragraph (a), and the prescriber has indicated "dispense as written" on the prescription in a manner consistent with section 151.21, subdivision 2.

(e) The basis for determining the amount of payment for drugs administered in an outpatient setting shall be the lower of the usual and customary cost submitted by the provider, 106 percent of the average sales price as determined by the United States Department of Health and Human Services pursuant to title XVIII, section 1847a of the federal Social Security Act, the specialty pharmacy rate, or the maximum allowable cost set by the commissioner. If average sales price is unavailable, the amount of payment must be lower of the usual and customary cost submitted by the provider, the wholesale acquisition cost, the specialty pharmacy rate, or the maximum allowable cost set by the commissioner. Effective January 1, 2014, the commissioner shall discount the payment rate for drugs obtained through the federal 340B Drug Pricing Program by 20 percent. With the exception of paragraph (f), the payment for drugs administered in an outpatient setting shall be made to the administering facility or practitioner. A retail or specialty pharmacy dispensing a drug for administration in an outpatient setting is not eligible for direct reimbursement.

(f) Notwithstanding paragraph (e), payment for injectable drugs used to treat substance abuse administered by a practitioner in an outpatient setting shall be made either to the administering facility or the practitioner, or directly to the dispensing pharmacy. The practitioner or administering facility shall submit the claim for the drug, if the practitioner purchases the drug directly from a wholesale distributor licensed under section 151.47 or from a manufacturer licensed under section 151.252. The dispensing pharmacy shall submit the claim if the pharmacy dispenses the drug pursuant to a prescription issued by the practitioner and delivers the filled prescription to the practitioner for subsequent administration. Payment shall be made according to this section. The administering practitioner and pharmacy shall ensure that claims are not duplicated. A pharmacy shall not dispense a practitioner-administered injectable drug described in this paragraph directly to an enrollee. For purposes of this paragraph, "dispense" and "dispensing" have the meaning provided in section 151.01, subdivision 30.

(g) The commissioner may negotiate lower reimbursement rates for specialty pharmacy products than the rates specified in paragraph (a). The commissioner may require individuals enrolled in the health care programs administered by the department to obtain specialty pharmacy products from providers with whom the commissioner has negotiated lower reimbursement rates. Specialty pharmacy products are defined as those used by a small number of recipients or recipients with complex and chronic diseases that require expensive and challenging drug regimens. Examples of these conditions include, but are not limited to: multiple sclerosis, HIV/AIDS, transplantation, hepatitis C, growth hormone deficiency, Crohn's Disease, rheumatoid arthritis, and certain forms of cancer. Specialty pharmaceutical products include injectable and infusion therapies, biotechnology drugs, antihemophilic factor products, high-cost therapies, and therapies that require complex care. The commissioner shall consult with the formulary committee to develop a list of specialty pharmacy products subject to this paragraph. In consulting with the formulary committee in developing this list, the commissioner shall take into consideration the population served by specialty pharmacy products, the current delivery system and standard of care in the state, and access to care issues. The commissioner shall have the discretion to adjust the reimbursement rate to prevent access to care issues.

~~(g)~~ (h) Home infusion therapy services provided by home infusion therapy pharmacies must be paid at rates according to subdivision 8d.

## Sec. 7. **OPIOID OVERDOSE REDUCTION PILOT PROGRAM.**

Subdivision 1. **Establishment.** The commissioner of health shall provide grants to ambulance services to fund activities by community paramedic teams to reduce opioid overdoses in the state. Under this pilot program, ambulance services shall develop and implement projects in which community paramedics connect with patients who are discharged from a hospital following an opioid overdose episode, develop personalized care plans for those patients, and provide follow-up services to those patients.

Subd. 2. **Priority areas; services.** (a) In a project developed under this section, an ambulance service must target community paramedic team services to portions of the service area with high levels of opioid use, high death rates from opioid overdoses, and urgent needs for interventions.

(b) In a project developed under this section, a community paramedic team shall:

(1) provide services to patients released from a hospital following an opioid overdose episode and place priority on serving patients who were administered the opiate antagonist naloxone hydrochloride by emergency medical services personnel in response to a 911 call during the opioid overdose episode;

(2) provide the following evaluations during an initial home visit: a home safety assessment including whether there is a need to dispose of prescription drugs that are expired or no longer needed, medication reconciliation, an HIV risk assessment, instruction on the use of naloxone hydrochloride, and a basic needs assessment;

(3) provide patients with health assessments, medication management, chronic disease monitoring and education, and assistance in following hospital discharge orders; and

(4) work with a multidisciplinary team to address the overall physical and mental health needs of patients and health needs related to substance use disorder treatment.

Subd. 3. **Evaluation.** An ambulance service that receives a grant under this section must evaluate the extent to which the project was successful in reducing the number of opioid overdoses and opioid overdose deaths among patients who received services and in reducing the inappropriate use of opioids by patients who received services. The commissioner of health shall develop specific evaluation measures and reporting timelines for ambulance services receiving grants. Ambulance services must submit the information required by the commissioner to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services by December 1, 2019.

## ARTICLE 5 APPROPRIATIONS

### Section 1. APPROPRIATIONS

The appropriations shown are from the general fund, or other named fund, and are available for the fiscal years indicated for each purpose. The figures "2018" and "2019" used in this article mean that the appropriation noted under them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively.

|   | <u>APPROPRIATIONS</u>         |                    |
|---|-------------------------------|--------------------|
|   | <u>Available for the Year</u> |                    |
|   | <u>Ending June 30</u>         |                    |
|   | <u>2018</u>                   | <u>2019</u>        |
| Sec. 2. <u>CRIMINAL APPREHENSION</u>  | <u>\$0</u>                    | <u>\$420,000</u>   |
| <u><b>Bureau of Criminal Apprehension Special Agents.</b> \$420,000 in fiscal year 2019 is for two additional special agent positions within the Bureau of Criminal Apprehension focused on drug interdiction and drug trafficking. The special agents whose positions are authorized under this section shall, whenever possible, coordinate with the federal Drug Enforcement Administration in efforts to address drug trafficking in Minnesota.</u> |                               |                    |
| Sec. 3. <u>COMMISSIONER OF HUMAN SERVICES</u>   |                               |                    |
| Subdivision 1. <u>Total Appropriation</u>   | <u>\$0</u>                    | <u>\$4,900,000</u> |
| <u>The amounts that may be spent for each purpose are specified in the following subdivisions.</u>  |                               |                    |
| Subd. 2. <u>Central Office Operations</u>   | <u>0</u>                      | <u>900,000</u>     |
| <u><b>Native American Juvenile Treatment Center; White Earth Reservation.</b> \$900,000 in fiscal year 2019 is for a grant to the tribal council of the White Earth Nation to refurbish and equip the White Earth Opiate Treatment Facility on the White Earth</u>  |                               |                    |

Reservation. The facility shall treat Native Americans and provide culturally specific programming to individuals placed in the treatment center. This appropriation is available until the project is completed or abandoned, subject to Minnesota Statutes, section 16A.642. This is a onetime appropriation.

Subd. 3. **Forecasted Programs; Medical Assistance** 0 4,000,000

Sec. 4. **COMMISSIONER OF HEALTH** \$0 \$5,000,000

(a) **FQHC Grants.** \$1,000,000 in fiscal year 2019 is for grants to federally qualified health centers for opioid addiction and substance use disorder programs under Minnesota Statutes, section 145.9272. This is a onetime appropriation.

(b) **Community Paramedic Teams.** \$1,000,000 in fiscal year 2019 is for an opioid overdose reduction pilot program using community paramedic teams. This appropriation is available until June 30, 2021. Of this appropriation, the commissioner may use up to \$50,000 to administer the program. This is a onetime appropriation.

(c) **Opioid Prevention Pilot Project.** \$2,000,000 in fiscal year 2019 is for opioid abuse prevention pilot projects under Laws 2017, First Special Session chapter 6, article 10, section 144. Of this amount, \$1,400,000 is for the opioid abuse prevention pilot project through CHI St. Gabriel's Health Family Medical Center, also known as Unity Family Health Care. \$600,000 is for Project Echo through CHI St. Gabriel's Health Family Medical Center for e-learning sessions centered around opioid case management and best practices for opioid abuse prevention. This is a onetime appropriation.

(d) **Prescription Drug Deactivation And Disposal.** \$1,000,000 in fiscal year 2019 is to provide grants to prescription drug dispensers and health care providers to purchase omnidegradable, at-home prescription drug deactivation and disposal products to assist individuals in the disposal of prescription drugs in a safe, environmentally sound manner. Grant awards shall not exceed \$25,000 per dispenser or provider, or \$100,000 for applicants applying on behalf of a group of dispensers or providers. Grant recipients must provide these deactivation and disposal products free of charge to members of the public. In awarding grants, the commissioner shall give priority to regions of the state with the highest rates of opioid overdoses and opioid-related deaths. This is a onetime appropriation.

Sec. 5. **DEPARTMENT OF EDUCATION** \$0 \$400,000

**For Jake's Sake Foundation.** (a) \$400,000 in fiscal year 2019 is for a grant to the For Jake's Sake Foundation to collaborate with school districts throughout Minnesota to integrate evidence-based

substance misuse prevention instruction on the dangers of substance misuse, particularly the use of opioids, into school district programs and curricula, including health education curricula.

(b) Funds appropriated in this section are to:

(1) identify effective substance misuse prevention tools and strategies, including innovative uses of technology and media;

(2) develop and promote a comprehensive substance misuse prevention curriculum for students in grades 5 through 12 that educates students and families about the dangers of substance misuse;

(3) integrate substance misuse prevention into curricula across subject areas;

(4) train school district teachers, athletic coaches, and other school staff in effective substance misuse prevention strategies; and

(5) collaborate with school districts to evaluate the effectiveness of districts' substance misuse prevention efforts.

(c) By February 15, 2019, the grantee must submit a report detailing expenditures and outcomes of the grant to the chairs and ranking minority members of the legislative committees with primary jurisdiction over kindergarten through grade 12 education policy and finance. The report must identify the school districts that have implemented or plan to implement the substance misuse prevention curriculum.

(d) The department may retain up to five percent of the appropriation amount to administer the grant program and assist school districts with implementation of substance misuse prevention instruction.

Sec. 6. **HEALTH RELATED BOARDS**

Subdivision 1. **Total Appropriation**

**\$0**

**\$985,000**

Appropriations by Fund

|   | <u>2018</u> | <u>2019</u>    |
|---|-------------|----------------|
| <u>General</u>                          | <u>0</u>    | <u>965,000</u> |
| <u>State Government Special Revenue</u> | <u>0</u>    | <u>20,000</u>  |

The amounts that may be spent for each purpose are specified in the following subdivisions.



**Subd. 2. Board of Dentistry**05,000

**Continuing Education.** \$5,000 in fiscal year 2019 is from the state government special revenue fund for costs associated with continuing education on prescribing opioids and controlled substances. This is a onetime appropriation.

**Subd. 3. Board of Nursing**05,000

**Continuing Education.** \$5,000 in fiscal year 2019 is from the state government special revenue fund for costs associated with continuing education on prescribing opioids and controlled substances. This is a onetime appropriation.

**Subd. 4. Board of Optometry**05,000

**Continuing Education.** \$5,000 in fiscal year 2019 is from the state government special revenue fund for costs associated with continuing education on prescribing opioids and controlled substances. This is a onetime appropriation.

**Subd. 5. Board of Pharmacy**0965,000

**Prescription Monitoring Program and Electronic Health Records.** \$965,000 in fiscal year 2019 is from the general fund to integrate the prescription monitoring program database with electronic health records on a statewide basis. The integration of access to the prescription monitoring database with electronic health records shall not modify any requirements or procedures in Minnesota Statutes, section 152.126, regarding the information that must be reported to the database, who can access the database and for what purpose, and the data classification of information in the database, and shall not require a prescriber to access the database prior to issuing a prescription for a controlled substance. The board may use this funding to contract with a vendor for technical assistance, provide grants to health care providers, and to make any necessary technological modifications to the prescription monitoring program database. This funding does not cancel and is available until expended. This is a onetime appropriation.

**Subd. 6. Board of Podiatric Medicine**05,000

**Continuing Education.** \$5,000 in fiscal year 2019 is from the state government special revenue fund for costs associated with continuing education on prescribing opioids and controlled substances. This is a onetime appropriation.

**Sec. 7. DUPLICATE APPROPRIATIONS.**

If an appropriation in this act is enacted more than once in the 2018 legislative session, the appropriation must be given effect only once."

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon and insert "establishing the opioid addiction prevention and treatment account"

Page 1, line 4, delete everything before the semicolon

Page 1, line 5, after the first semicolon, insert "modifying provisions related to opioid addiction prevention, education, research, intervention, treatment, and recovery;"

Correct the title numbers accordingly

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

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 4437, A bill for an act relating to transportation finance; proposing a constitutional amendment to the Minnesota Constitution, article XIV, to allocate state general sales tax revenue related to motor vehicle repair and replacement parts exclusively to fund roads; making conforming and technical changes; amending Minnesota Statutes 2017 Supplement, section 297A.94; proposing coding for new law as Minnesota Statutes, chapter 160A.

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

The report was adopted.

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

S. F. No. 2620, A bill for an act relating to retirement; benefit and contribution changes for Minnesota statewide and major local public employee retirement plans; increasing contribution rates; reducing certain postretirement adjustment rates; modifying investment return assumptions; extending amortization target dates; reducing deferred annuities augmentation; requiring a study on postretirement adjustments; making administrative changes to the Minnesota State Retirement System, Teachers Retirement Association, Public Employees Retirement Association, and St. Paul Teachers Retirement Fund Association; clarifying refund repayment procedures; modifying executive director credentials; clarifying service requirements; revising appeal procedures; modifying service credit purchase procedures; establishing new procedures for disability applications due to private disability insurance requirements; clarifying disability benefit payment provisions; modifying annual benefit limitations for federal tax code compliance; authorizing use of IRS correction procedures; clarifying benefit offsets for certain refund payments; clarifying police and fire plan coverage for certain Hennepin Healthcare System supervisors; modifying various economic actuarial assumptions; authorizing the transfer of assets and members from the voluntary statewide volunteer firefighter retirement plan to a volunteer firefighter relief association; adopting recommendations of the Volunteer Firefighter Relief Association working group; increasing the lump-sum service pension maximum and lowering certain vesting requirements for the Eden Prairie Volunteer Firefighters Relief Association; modifying the Brook Park volunteer firefighters service pension level; permitting alternative allocation of fire state aid for the city of Austin; establishing a fire state aid work group; extending a reporting deadline for the Clearbrook Fire Department Relief Association; clarifying a 1992 session law for the Swift County-Benson Hospital; modifying various Department of Human Services and Department of Corrections employment classifications eligible for

correctional retirement coverage; revising augmentation interest rates for certain terminated privatized employees; adopting definition of the Hometown Heroes Act related to public safety officer death benefits; modifying defined contribution plans to allow certain distributions; allowing service credit purchase and rule of 90 eligibility for certain Minnesota Department of Transportation employees; expanding investment authority for the Hennepin County Supplemental Retirement Plan; authorizing certain MnSCU employees to elect retroactive and prospective TRA coverage; authorizing a MnSCU employee to transfer past service from IRAP to PERA; increasing maximum employer contribution to a supplemental laborers pension fund; exempting certain laborers groups from coverage; authorizing certain additional sources of retirement plan funding; making technical and conforming changes; authorizing direct state aid to the public employees police and fire retirement plan and the St. Paul Teachers Retirement Fund Association; modifying pension adjustment revenue provisions; appropriating money; amending Minnesota Statutes 2016, sections 3A.02, subdivision 4; 3A.03, subdivisions 2, 3; 16A.14, subdivision 2a; 126C.10, subdivision 37; 352.01, subdivisions 2a, 13a; 352.017, subdivision 2; 352.03, subdivisions 5, 6; 352.04, subdivisions 2, 3, 8, 9; 352.113, subdivisions 2, 4, 14; 352.116, subdivision 1a; 352.22, subdivisions 2, 3, by adding subdivisions; 352.23; 352.27; 352.91, subdivisions 3f, 3g, by adding a subdivision; 352.92, subdivisions 1, 2, by adding a subdivision; 352.955, subdivision 3; 352B.013, subdivision 2; 352B.02, subdivisions 1a, 1c; 352B.08, by adding a subdivision; 352B.085; 352B.086; 352B.11, subdivision 4; 352D.02, subdivisions 1, 3; 352D.04, subdivision 2; 352D.05, subdivision 4; 352D.085, subdivision 1; 352D.11, subdivision 2; 352D.12; 352F.04, subdivisions 1, 2, by adding a subdivision; 353.01, subdivisions 2b, 10, 16, 43, 47; 353.012; 353.0162; 353.03, subdivision 3; 353.27, subdivisions 7a, 12, 12a, 12b; 353.28, subdivision 5; 353.29, subdivisions 4, 7; 353.30, subdivisions 3c, 5; 353.32, subdivisions 1, 4; 353.34, subdivisions 2, 3; 353.35, subdivision 1; 353.37, subdivision 1; 353.64, subdivision 10; 353.65, subdivisions 2, 3, by adding a subdivision; 353D.07; 353F.02, subdivision 5a; 353F.025, subdivision 2; 353F.04, subdivision 2; 353F.05; 353F.057; 353F.06; 353F.07; 353G.01, subdivision 9, by adding a subdivision; 353G.02, subdivision 6; 353G.03, subdivision 3; 353G.08, subdivision 3; 353G.11, subdivision 1; 354.05, subdivision 2, by adding a subdivision; 354.06, subdivisions 2, 2a; 354.095; 354.42, subdivisions 2, 3; 354.435, subdivision 4; 354.436, subdivision 3; 354.44, subdivisions 3, 6, 9; 354.45, by adding a subdivision; 354.46, subdivision 6; 354.48, subdivision 1; 354.49, subdivision 2; 354.50, subdivision 2; 354.51, subdivision 5; 354.512; 354.52, subdivisions 4, 4d; 354.53, subdivision 5; 354.55, subdivision 11; 354.66, subdivision 2; 354.72, subdivisions 1, 2; 354A.011, subdivisions 3a, 29; 354A.093, subdivisions 4, 6; 354A.095; 354A.096; 354A.12, subdivisions 1, 1a, 2a, 3a, 3c, 7; 354A.29, subdivision 7; 354A.31, subdivisions 3, 5, 6, 7; 354A.34; 354A.35, subdivision 2; 354A.36, subdivision 4; 354A.37, subdivisions 2, 3; 354A.38; 356.195, subdivision 2; 356.215, subdivisions 9, 11; 356.24, subdivision 1; 356.30, subdivision 1; 356.32, subdivision 2; 356.415, subdivisions 1, 1a, 1b, 1c, 1d, 1e, 1f, by adding a subdivision; 356.44; 356.47, subdivisions 1, 3; 356.50, subdivision 2; 356.551, subdivision 2; 356.635, subdivision 10, by adding subdivisions; 356.645; 356.96, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 356A.06, subdivision 7; 383B.47; 383B.48; 383B.49; 383B.50; 423A.02, subdivisions 3, 5; 423A.022, subdivision 5; 424A.001, subdivisions 2, 3, 10, by adding a subdivision; 424A.002, subdivision 1; 424A.01, subdivisions 1, 5, 6, by adding subdivisions; 424A.015, subdivision 1, by adding a subdivision; 424A.016, subdivision 2; 424A.02, subdivisions 1, 3a, 7; 424A.04, subdivision 1; 424A.07; 424A.091, subdivision 3; 424A.094, subdivision 3; 424A.10, subdivision 1; 424B.20, subdivision 4; 490.121, subdivisions 4, 25, 26; 490.1211; 490.123, by adding a subdivision; 490.124, subdivision 12; Minnesota Statutes 2017 Supplement, sections 353.27, subdivision 3c; 356.215, subdivision 8; Laws 1992, chapter 534, section 10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 353F; 353G; 356; 424A; repealing Minnesota Statutes 2016, sections 3A.12; 352.04, subdivision 11; 352.045; 352.72; 352B.30; 353.0161; 353.27, subdivision 3b; 353.34, subdivision 6; 353.71; 354.42, subdivisions 4a, 4b, 4c, 4d; 354.60; 354A.12, subdivision 2c; 354A.29, subdivisions 8, 9; 354A.39; 356.611, subdivisions 3, 3a, 4, 5; 356.96, subdivisions 14, 15; 424A.02, subdivision 13; Laws 2008, chapter 349, article 8, section 4.

Reported the same back with the following amendments:

Page 179, after line 1, insert:

"Sec. 25. Minnesota Statutes 2016, section 424B.20, is amended by adding a subdivision to read:

Subd. 4a. **Disposition of surplus assets upon dissolution of certain volunteer firefighters relief associations.** Notwithstanding any provision to the contrary in subdivision 4, if a volunteer firefighters relief association provides a lump-sum service pension equal to \$9,500 or more for each year of service as of the effective date of this section, upon dissolution under this section and payment of the last service pension or benefit due and owing, any remaining assets in the trust fund cancel as follows:

(1) if the municipality was required to make contributions to the relief association under chapter 424A at any time during the ten years preceding the effective date of this section, the remaining assets cancel to the general fund of the municipality; or

(2) if the municipality was not required to make contributions to the relief association under chapter 424A at any time during the ten years preceding the effective date of this section, the remaining assets cancel to the general fund of the state.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to dissolutions initiated retroactive to May 8, 2018."

Page 187, after line 3, insert:

"Sec. 29. **CERTAIN VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION SERVICE PENSIONS.**

(a) As used in this section, "qualifying volunteer firefighters relief association" means a volunteer firefighters relief association with a funding ratio of greater than 100 percent as of the most recent fiscal year end, and which provides a lump sum pension benefit based on a lump sum pension amount equal to \$9,500 or more, as of the effective date of this section. For purposes of this section, "qualifying volunteer firefighters relief association" does not include an association whose maximum lump-sum pension amount is specifically established by other provisions of this bill.

(b) Notwithstanding any provision of Minnesota Statutes, section 424A.02, subdivision 3, paragraph (d), to the contrary, the maximum lump-sum pension amount for each year of service credited that may be provided for in the bylaws of a qualifying volunteer firefighters relief association is the maximum service pension figure corresponding to the average amount of available financing per active covered firefighter for the applicable specified period:

| <u>Minimum Average Amount of Available<br/>Financing per Firefighter</u> | <u>Maximum Lump-Sum Service Pension<br/>Amount Payable for Each Year of Service</u> |
|--|---|
| \$ ...   | \$10  |
| <u>11</u>  | <u>20</u>   |
| <u>16</u>  | <u>30</u>   |
| <u>23</u>  | <u>40</u>   |
| <u>27</u>  | <u>50</u>   |
| <u>32</u>  | <u>60</u>   |
| <u>43</u>  | <u>80</u>   |
| <u>54</u>  | <u>100</u>  |
| <u>65</u>  | <u>120</u>  |
| <u>77</u>  | <u>140</u>  |
| <u>86</u>  | <u>160</u>  |
| <u>97</u>  | <u>180</u>  |
| <u>108</u>   | <u>200</u>  |
| <u>131</u>   | <u>240</u>  |
| <u>151</u>   | <u>280</u>  |

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| <u>173</u>  | <u>320</u>  |
| <u>194</u>  | <u>360</u>  |
| <u>216</u>  | <u>400</u>  |
| <u>239</u>  | <u>440</u>  |
| <u>259</u>  | <u>480</u>  |
| <u>281</u>  | <u>520</u>  |
| <u>302</u>  | <u>560</u>  |
| <u>324</u>  | <u>600</u>  |
| <u>347</u>  | <u>640</u>  |
| <u>367</u>  | <u>680</u>  |
| <u>389</u>  | <u>720</u>  |
| <u>410</u>  | <u>760</u>  |
| <u>432</u>  | <u>800</u>  |
| <u>486</u>  | <u>900</u>  |
| <u>540</u>  | <u>1000</u> |
| <u>594</u>  | <u>1100</u> |
| <u>648</u>  | <u>1200</u> |
| <u>702</u>  | <u>1300</u> |
| <u>756</u>  | <u>1400</u> |
| <u>810</u>  | <u>1500</u> |
| <u>864</u>  | <u>1600</u> |
| <u>918</u>  | <u>1700</u> |
| <u>972</u>  | <u>1800</u> |
| <u>1026</u> | <u>1900</u> |
| <u>1080</u> | <u>2000</u> |
| <u>1134</u> | <u>2100</u> |
| <u>1188</u> | <u>2200</u> |
| <u>1242</u> | <u>2300</u> |
| <u>1296</u> | <u>2400</u> |
| <u>1350</u> | <u>2500</u> |
| <u>1404</u> | <u>2600</u> |
| <u>1458</u> | <u>2700</u> |
| <u>1512</u> | <u>2800</u> |
| <u>1566</u> | <u>2900</u> |
| <u>1620</u> | <u>3000</u> |
| <u>1672</u> | <u>3100</u> |
| <u>1726</u> | <u>3200</u> |
| <u>1753</u> | <u>3250</u> |
| <u>1780</u> | <u>3300</u> |
| <u>1820</u> | <u>3375</u> |
| <u>1834</u> | <u>3400</u> |
| <u>1888</u> | <u>3500</u> |
| <u>1942</u> | <u>3600</u> |
| <u>1996</u> | <u>3700</u> |
| <u>2023</u> | <u>3750</u> |
| <u>2050</u> | <u>3800</u> |
| <u>2104</u> | <u>3900</u> |
| <u>2158</u> | <u>4000</u> |
| <u>2212</u> | <u>4100</u> |
| <u>2265</u> | <u>4200</u> |
| <u>2319</u> | <u>4300</u> |

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| <u>5181</u>                         | <u>9600</u>   |
| <u>5235</u>                         | <u>9700</u>   |
| <u>5289</u>                         | <u>9800</u>   |
| <u>5343</u>                         | <u>9900</u>   |
| <u>5397</u>                         | <u>10,000</u> |
| <u>5451</u>                         | <u>10,100</u> |
| <u>5505</u>                         | <u>10,200</u> |
| <u>5559</u>                         | <u>10,300</u> |
| <u>5613</u>                         | <u>10,400</u> |
| <u>5667</u>                         | <u>10,500</u> |
| <u>5721</u>                         | <u>10,600</u> |
| <u>5775</u>                         | <u>10,700</u> |
| <u>5729</u>                         | <u>10,800</u> |
| <u>5883</u>                         | <u>10,900</u> |
| <u>5937</u>                         | <u>11,000</u> |
| <u>5991</u>                         | <u>11,100</u> |
| <u>6045</u>                         | <u>11,200</u> |
| <u>6099</u>                         | <u>11,300</u> |
| <u>6153</u>                         | <u>11,400</u> |
| <u>6207</u>                         | <u>11,500</u> |
| <u>6261</u>                         | <u>11,600</u> |
| <u>6315</u>                         | <u>11,700</u> |
| <u>6369</u>                         | <u>11,800</u> |
| <u>6423</u>                         | <u>11,900</u> |
| <u>6477</u>                         | <u>12,000</u> |
| <u>6531</u>                         | <u>12,100</u> |
| <u>6585</u>                         | <u>12,200</u> |
| <u>6639</u>                         | <u>12,300</u> |
| <u>6693</u>                         | <u>12,400</u> |
| <u>6747</u>                         | <u>12,500</u> |
| <u>any amount in excess of 6747</u> | <u>12,500</u> |

(c) The maximum monthly service pension amount per month for each year of service credited that may be provided for in the bylaws of the volunteer firefighters relief association must be set pursuant to Minnesota Statutes, section 424A.02, subdivision 3, paragraph (c).

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

Sec. 30. **MAPLEWOOD FIREFIGHTERS RELIEF ASSOCIATION; TERMINATION AND DISSOLUTION.**

(a) Notwithstanding any provision of Minnesota Statutes, chapters 424A, 424B, or any other law to the contrary, the Maplewood Firefighters Relief Association will be dissolved and its pension plan terminated in accordance with the provisions of this section following the payment by the relief association of all benefit obligations to all members and deferred members, the discharge of any other legal obligations, and the distribution of all remaining assets of the relief association.

(b) Each member of the Maplewood Firefighters Relief Association who was employed as a volunteer firefighter by the Maplewood Fire Department on February 27, 2018, shall become 100 percent vested in the member's retirement benefit determined by taking into account each full year of service and fractional year of service, as defined in the bylaws of the relief association, until the member's separation from service as a volunteer firefighter. The member will be considered a retired member of the relief association.

(c) Each of the members specified in paragraph (b) is entitled to a lump sum benefit in an amount equal to \$11,000 multiplied by the number of full and fractional years of service earned by the member.

(d) Prior to the distribution of benefits under this section, the Maplewood Firefighters Relief Association shall amend its bylaws to reestablish a defined benefit lump sum service pension plan that provides the benefits described in this section and shall rescind any bylaws inconsistent with this section. The relief association may amend its bylaws to incorporate any provisions necessary to satisfy tax qualification requirements under the Internal Revenue Code and make any other changes necessary to permit members to elect a direct rollover of their benefit into a retirement account. Any bylaws amendment shall be approved by a majority of the members of the relief association in attendance at a meeting of the membership held to consider the bylaws amendment.

(e) Prior to dissolution, the Maplewood Firefighters Relief Association shall:

(1) distribute the retirement benefits of all members and deferred members in the form of a lump sum payment or direct rollover, regardless of the age of the member or deferred member, and otherwise in accordance with this section and the bylaws of the relief association discharge all pension benefit obligations;

(2) to the extent authorized under Minnesota Statutes, section 424A.05, subdivision 3, discharge any other legal obligation the relief association owes to any other party; and

(3) pay a supplemental lump sum benefit to each member and survivor who satisfies the requirements of Minnesota Statutes, section 424A.10, subdivision 2, except that, notwithstanding any requirements in Minnesota Statutes, section 424A.10, subdivision 2, to the contrary, the benefit shall be paid to a member only if the member had attained at least age 50 as of the date the member received a distribution of the member's retirement benefit under clause (1).

(f) The city of Maplewood shall file for and receive reimbursement pursuant to Minnesota Statutes, section 424A.10, subdivision 3, of supplemental benefits paid to any member who had attained at least age 50 as of the date the member received a distribution of the member's retirement benefit under paragraph (e) and to any survivor and deposit the reimbursement in the city's general fund.

(g) Upon completion of paragraphs (b) through (e), the Maplewood Firefighters Relief Association shall be dissolved and its affairs wound up in accordance with Minnesota Statutes, section 424B.20, subdivision 5.

(h) Upon dissolution of the Maplewood Firefighters Relief Association:

(1) the remaining balance in the relief association special fund shall be transferred to the city of Maplewood general fund and none of the relief association special fund may be transferred to the relief association general fund;

(2) the remaining balance in the relief association general fund shall be distributed in equal shares to all members; and

(3) if the relief association files the financial report and audit required under Minnesota Statutes, section 69.051, subdivision 1, and the state auditor files the certification regarding the relief association with the commissioner of revenue pursuant to Minnesota Statutes, section 6.495, subdivision 3, the Department of Revenue shall pay the fire state aid under Minnesota Statutes, chapter 69, for calendar year 2017 to the city of Maplewood.

**EFFECTIVE DATE; LOCAL APPROVAL.** The provisions of this section shall take effect only if approved within 45 days of the enactment of this section by:

(1) the board of trustees of the Maplewood Firefighters Relief Association;



(2) a majority of the members of the relief association in attendance at a meeting of the membership to consider this section; and

(3) the Maplewood city council."

Page 187, after line 11, insert:

"Sec. 32. **RELIEF ASSOCIATION WORK GROUP.**

(a) The executive director of the Legislative Commission on Pensions and Retirement shall convene a work group immediately following the end of the regular 2018 legislative session to study the following:

(1) the statutes governing conversions from a defined benefit plan to a defined contribution plan and aspects of such conversions that are not addressed or that are addressed by statutes that are ambiguous or unclear;

(2) the statutes governing dissolution of relief associations and the disposition of surplus assets;

(3) the prevalence of overfunded defined benefit relief associations in the state and the status of transitions underway at fire departments in the state from using the services of volunteer firefighters to employing salaried firefighters;

(4) alternatives for determining accrued benefits, vesting, and surplus assets upon conversion and for allocating surplus assets among firefighters, the affiliated municipality, or the state in the form of a reversion of fire state aid;

(5) alternatives for legislation that amends or supplements the statutes identified in clauses (1) and (2); and

(6) any related issues identified by the work group.

(b) Members of the work group shall include as many of the following individuals as are available, not to exceed twelve individuals:

(1) at least two municipal officials, each from a municipality with an affiliated defined benefit relief association, designated by the League of Minnesota Cities;

(2) one representative from the League of Minnesota Cities;

(3) at least two fire chiefs, designated by the Minnesota State Fire Chiefs Association, from fire departments that use both volunteers covered by a defined benefit relief association and salaried firefighters covered by the public employees police and fire retirement plan;

(4) at least two active volunteer firefighters covered by a defined benefit relief association, designated by the Minnesota State Fire Departments Association;

(5) a fire chief or volunteer of an independent nonprofit firefighting corporation affiliated with a defined benefit relief association;

(6) one representative of the Office of the State Auditor, designated by the state auditor; and

(7) any other individual or individuals designated by the Legislative Commission on Pensions and Retirement.

(c) Participation in the activities of the work group shall not be considered lobbying under Minnesota Statutes, chapter 10A. A municipality or relief association may not retaliate against an individual because of the individual's participation in the work group.

(d) The work group shall elect a chair from among its members.

(e) The work group shall submit a report by December 31, 2018, that summarizes the findings of the work group and provides the work group's recommendations to the chair and vice-chair of the Legislative Commission on Pensions and Retirement.

(f) The work group shall disband as of the end of the 2019 legislative session and any special session thereafter.

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 20, after the semicolon, insert "modifying certain provisions for volunteer firefighter relief associations;"

Page 1, line 25, after the semicolon, insert "establishing a relief association working group;"

Correct the title numbers accordingly

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 1180, 1440 and 4437 were read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 893, 2869 and 2949 were read for the second time.

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

The following House Files were introduced:

Drazkowski and Scott introduced:

H. F. No. 4497, A bill for an act relating to public safety; authorizing law enforcement agencies to terminate peace officers who have substantiated incidents of dishonest conduct; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Clark and Allen introduced:

H. F. No. 4498, A bill for an act relating to economic development; appropriating money for youth development programs in Little Earth.

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

Kunesh-Podein, Clark and Allen introduced:

H. F. No. 4499, A bill for an act relating to capital investment; appropriating money for Cedar Avenue public safety improvements; authorizing the sale and issuance of state bonds.

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

Allen and Clark introduced:

H. F. No. 4500, A bill for an act relating to public safety; creating the Native American juvenile crime account; establishing grants to address Native American juvenile crime; amending Minnesota Statutes 2016, section 624.714, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Freiberg; Bahr, C.; Drazkowski; Munson; Liebling; Hornstein; Rosenthal; Garofalo and Lucero introduced:

H. F. No. 4501, A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution expanding the prohibition on laws embracing more than one subject.

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

Franke and Clark introduced:

H. F. No. 4502, A bill for an act relating to education; health; requiring school districts to conduct radon testing; amending Minnesota Statutes 2016, section 123B.571.

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

Zerwas introduced:

H. F. No. 4503, A bill for an act relating to workers' compensation; modifying coverage for injury due to intoxication; amending Minnesota Statutes 2016, section 176.021, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Zerwas, Hoppe and Anderson, S., introduced:

H. F. No. 4504, A bill for an act relating to workers' compensation; modifying plan requirements; amending Minnesota Statutes 2016, section 176.1351, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Anderson, S., introduced:

H. F. No. 4505, A bill for an act relating to workers' compensation; extending the commencement of compensation for temporary total or temporary partial disability; amending Minnesota Statutes 2016, section 176.121.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

### **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 Files, herewith transmitted:

S. F. Nos. 730, 2978 and 3168.

CAL R. LUDEMAN, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 730, A bill for an act relating to health; establishing an opiate stewardship program; establishing an opiate manufacturer registration fee to fund the operation of the prescription monitoring program; requiring a prescriber to access the prescription monitoring program before prescribing a controlled substance; limiting the quantity of opiates and narcotics that can be prescribed for acute pain at any one time; appropriating money;

requiring a report; amending Minnesota Statutes 2016, sections 151.01, subdivision 27; 151.252, subdivision 1; 151.47, by adding a subdivision; 152.11, subdivisions 1, 2; 152.126, subdivisions 6, 10; Laws 2017, First Special Session chapter 6, article 12, section 2, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 151.

The bill was read for the first time.

Baker moved that S. F. No. 730 and H. F. No. 1440, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2978, A bill for an act relating to state government; specifying requirements for state auditor's review of certain audits conducted by CPA firms; amending Minnesota Statutes 2017 Supplement, section 6.481, subdivision 3.

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

S. F. No. 3168, A bill for an act relating to state lands; modifying lease provisions; modifying requirements of public land sales; providing for certain local land use; adding to and deleting from state parks and forests; providing for sales and conveyances of interests in state lands; amending Minnesota Statutes 2016, sections 92.50, by adding a subdivision; 92.502; 94.10, subdivision 2; Minnesota Statutes 2017 Supplement, section 89.17; Laws 2015, chapter 25, section 7; Laws 2017, chapter 93, article 2, section 155, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 103F; repealing Laws 2008, chapter 368, article 1, section 21, subdivision 2.

The bill was read for the first time.

Johnson, C., moved that S. F. No. 3168 and H. F. No. 3424, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Peppin moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Albright.

Lesch was excused between the hours of 12:40 p.m. and 3:05 p.m.

REPORT FROM THE COMMITTEE ON RULES  
AND LEGISLATIVE ADMINISTRATION

Peppin from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Wednesday, May 16, 2018 and established a prefiling requirement for amendments offered to the following bills:

S. F. No. 327; H. F. Nos. 3610, 3674, 1481 and 3611; S. F. Nos. 2869 and 893; H. F. Nos. 3463 and 3202; S. F. No. 3638; and H. F. No. 3838.

## CALENDAR FOR THE DAY

H. F. No. 4404 was reported to the House.

Grossell moved to amend H. F. No. 4404, the second engrossment, as follows:

Page 27, delete section 17 and insert:

"Sec. 17. **VETERANS AFFAIRS**

|  |                            |
|--|----------------------------|
| <b><u>Subdivision 1. Total Appropriation</u></b> | <b><u>\$36,000,000</u></b> |
|--|----------------------------|

To the commissioner of administration for the purposes specified in this section.

|   |                          |
|---|--------------------------|
| <b><u>Subd. 2. Asset Preservation</u></b> | <b><u>10,000,000</u></b> |
|---|--------------------------|

For asset preservation improvements and betterments of a capital nature at veterans homes in Minneapolis, Hastings, Fergus Falls, Silver Bay, and Luverne, and the Little Falls Cemetery, to be spent in accordance with Minnesota Statutes, section 16B.307.

|   |                          |
|---|--------------------------|
| <b><u>Subd. 3. New Veterans Homes</u></b> | <b><u>26,000,000</u></b> |
|---|--------------------------|

(a) \$26,000,000 must be transferred to the unrestricted general fund from the general stadium reserve account established by the commissioner of management and budget under Minnesota Statutes, section 297E.021, no later than June 30, 2019. This is a onetime transfer.

(b) \$26,000,000 in fiscal year 2019 is appropriated from the general fund as follows:

(1) \$10,000,000 is to design, construct, furnish, and equip a veterans home in Preston;

(2) \$6,000,000 is to design, construct, furnish, and equip a veterans home in Montevideo; and

(3) \$10,000,000 is to design, construct, furnish, and equip a veterans home in Bemidji.

(c) These veterans homes are subject to the requirements of the People's Veterans Homes Act, as provided in subdivision 4. This is a onetime appropriation, and is available until June 30, 2021. The appropriations are not available until the commissioner of management and budget, in consultation with the commissioner of veterans affairs, determines that amounts sufficient to complete the projects are committed from nonstate sources.

**Subd. 4. Veterans Homes Construction**

(a) This subdivision may be cited as the "People's Veterans Homes Act."

(b) The commissioner of veterans affairs may apply for federal funding and establish veterans homes with up to 140 beds available to provide a continuum of care, including skilled nursing care, for eligible veterans and their spouses in the following locations:

(1) Preston;

(2) Montevideo; and

(3) Bemidji.

(b) The state shall provide the necessary operating costs for the veterans homes in excess of any revenue and federal funding for the homes that may be required to continue the operation of the homes and care for Minnesota veterans.

(c) The commissioner of administration may accept contributions of land or money from private individuals, businesses, local governments, veterans service organizations, and other nonstate sources for the purpose of providing matching funding when soliciting federal funding for the development of the homes authorized by this section."

A roll call was requested and properly seconded.

Hortman moved to amend the Grossell amendment to H. F. No. 4404, the second engrossment, as follows:

Page 1, line 4, delete "36,000,000" and insert "51,000,000"

Page 1, delete subdivision 3 and insert:

**"Subd. 3. New Veterans Homes**

41,000,000

(a) \$26,000,000 in fiscal year 2019 and \$15,000,000 in fiscal year 2020 must be transferred to the unrestricted general fund from the general stadium reserve account established by the commissioner of management and budget under Minnesota Statutes, section 297E.021. These are onetime transfers.

(b) \$26,000,000 in fiscal year 2019 and \$15,000,000 in fiscal year 2020 are appropriated from the general fund to fully fund the required 35 percent state match required by the federal government to achieve U.S. Department of Veterans Affairs Priority List Group 1 status for capital projects for veterans' homes as follows:

(1) \$10,000,000 in fiscal year 2019 and \$6,000,000 in fiscal year 2020 to design, construct, furnish, and equip a veterans home in Preston;

(2) \$6,000,000 in fiscal year 2019 and \$3,000,000 in fiscal year 2020 to design, construct, furnish, and equip a veterans home in Montevideo; and

(3) \$10,000,000 in fiscal year 2019 and \$6,000,000 in fiscal year 2020 to design, construct, furnish, and equip a veterans home in Bemidji.

(c) These veterans homes are subject to the requirements of the People's Veterans Homes Act, as provided in subdivision 4. This is a onetime appropriation, and is available until June 30, 2022. The appropriations are not available until the commissioner of management and budget, in consultation with the commissioner of veterans affairs, determines that amounts sufficient to complete the projects are committed from nonstate sources."

A roll call was requested and properly seconded.

The question was taken on the Hortman amendment to the Grossell amendment and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Hansen        | Lien       | Nelson     | Sauke      |
| Allen        | Dean, M.   | Hausman       | Lillie     | Neu        | Schomacker |
| Anderson, P. | Dehn, R.   | Heintzeman    | Loeffler   | Newberger  | Schultz    |
| Anderson, S. | Dettmer    | Hertaus       | Lohmer     | Nornes     | Scott      |
| Anselmo      | Drazkowski | Hilstrom      | Loon       | O'Driscoll | Smith      |
| Backer       | Ecklund    | Hoppe         | Loonan     | Olson      | Sundin     |
| Bahr, C.     | Erickson   | Hornstein     | Lucero     | Omar       | Swedzinski |
| Baker        | Fabian     | Hortman       | Lueck      | O'Neill    | Theis      |
| Barr, R.     | Fenton     | Howe          | Mahoney    | Peppin     | Torkelson  |
| Becker-Finn  | Fischer    | Jessup        | Mariani    | Petersburg | Uglen      |
| Bennett      | Franke     | Johnson, B.   | Marquart   | Peterson   | Urdahl     |
| Bernardy     | Franson    | Johnson, C.   | Masin      | Pierson    | Vogel      |
| Bliss        | Freiberg   | Jurgens       | Maye Quade | Pinto      | Wagenius   |
| Bly          | Garofalo   | Kiel          | McDonald   | Poppe      | West       |
| Carlson, A.  | Green      | Knoblach      | Metsa      | Poston     | Whelan     |
| Carlson, L.  | Grossell   | Koegel        | Miller     | Pryor      | Wills      |
| Christensen  | Gruenhagen | Koznick       | Moran      | Pugh       | Youakim    |
| Clark        | Gunther    | Kresha        | Munson     | Quam       | Zerwas     |
| Considine    | Haley      | Kunesh-Podein | Murphy, E. | Rarick     | Spk. Daudt |
| Daniels      | Halverson  | Layman        | Murphy, M. | Rosenthal  |            |
| Dauids       | Hamilton   | Lee           | Nash       | Runbeck    |            |

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



The question recurred on the Grossell amendment, as amended, and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Hansen        | Lien       | Nelson     | Sauke      |
| Allen        | Dean, M.   | Hausman       | Lillie     | Neu        | Schomacker |
| Anderson, P. | Dehn, R.   | Heintzeman    | Loeffler   | Newberger  | Schultz    |
| Anderson, S. | Dettmer    | Hertaus       | Lohmer     | Nornes     | Scott      |
| Anselmo      | Drazkowski | Hilstrom      | Loon       | O'Driscoll | Smith      |
| Backer       | Ecklund    | Hoppe         | Loonan     | Olson      | Sundin     |
| Bahr, C.     | Erickson   | Hornstein     | Lucero     | Omar       | Swedzinski |
| Baker        | Fabian     | Hortman       | Lueck      | O'Neill    | Theis      |
| Barr, R.     | Fenton     | Howe          | Mahoney    | Peppin     | Torkelson  |
| Becker-Finn  | Fischer    | Jessup        | Mariani    | Petersburg | Uglen      |
| Bennett      | Franke     | Johnson, B.   | Marquart   | Peterson   | Urdahl     |
| Bernardy     | Franson    | Johnson, C.   | Masin      | Pierson    | Vogel      |
| Bliss        | Freiberg   | Jurgens       | Maye Quade | Pinto      | Wagenius   |
| Bly          | Garofalo   | Kiel          | McDonald   | Poppe      | West       |
| Carlson, A.  | Green      | Knoblach      | Metsa      | Poston     | Whelan     |
| Carlson, L.  | Grossell   | Koegel        | Miller     | Pryor      | Wills      |
| Christensen  | Gruenhagen | Koznick       | Moran      | Pugh       | Youakim    |
| Clark        | Gunther    | Kresha        | Munson     | Quam       | Zerwas     |
| Considine    | Haley      | Kunesh-Podein | Murphy, E. | Rarick     | Spk. Daudt |
| Daniels      | Halverson  | Layman        | Murphy, M. | Rosenthal  |            |
| Davids       | Hamilton   | Lee           | Nash       | Runbeck    |            |

The motion prevailed and the amendment, as amended, was adopted.

Hansen moved to amend H. F. No. 4404, the second engrossment, as amended, as follows:

Page 34, after line 5, insert:

"Subd. 20. **West St. Paul - Robert Street Reimbursement** **1,000,000**

\$500,000 in fiscal year 2020 and \$500,000 in fiscal year 2021 are from the general fund for a grant to the city of West St. Paul to reimburse the city for capital expenditures related to the acquisition, equipping, and installation of traffic signals necessary for the reconstruction of marked Trunk Highway 952A (Robert Street). This appropriation does not require a local match."

Page 65, delete section 32

Renumber the sections and subdivisions in sequence and correct the internal references

Amend the title accordingly

Adjust amounts accordingly

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

On the motion of Hortman and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Hansen        | Lillie     | Newberger  | Schultz    |
| Allen        | Dean, M.   | Hausman       | Loeffler   | Nornes     | Scott      |
| Anderson, P. | Dehn, R.   | Heintzeman    | Lohmer     | O'Driscoll | Smith      |
| Anderson, S. | Dettmer    | Hertaus       | Loon       | Olson      | Sundin     |
| Anselmo      | Drazkowski | Hilstrom      | Loonan     | Omar       | Swedzinski |
| Applebaum    | Ecklund    | Hoppe         | Lucero     | O'Neill    | Theis      |
| Backer       | Erickson   | Hornstein     | Lueck      | Pelowski   | Torkelson  |
| Bahr, C.     | Fabian     | Hortman       | Mahoney    | Peppin     | Uglen      |
| Baker        | Fenton     | Howe          | Mariani    | Petersburg | Urdahl     |
| Barr, R.     | Fischer    | Jessup        | Marquart   | Peterson   | Vogel      |
| Becker-Finn  | Flanagan   | Johnson, B.   | Masin      | Pierson    | Wagenius   |
| Bennett      | Franke     | Johnson, C.   | Maye Quade | Pinto      | West       |
| Bernardy     | Franson    | Jurgens       | McDonald   | Poppe      | Whelan     |
| Bliss        | Freiberg   | Kiel          | Metsa      | Poston     | Wills      |
| Bly          | Garofalo   | Knoblach      | Miller     | Pryor      | Youakim    |
| Carlson, A.  | Green      | Koegel        | Moran      | Pugh       | Zerwas     |
| Carlson, L.  | Grossell   | Koznick       | Munson     | Quam       | Spk. Daudt |
| Christensen  | Gruenhagen | Kresha        | Murphy, E. | Rarick     |            |
| Clark        | Gunther    | Kunesh-Podein | Murphy, M. | Rosenthal  |            |
| Considine    | Haley      | Layman        | Nash       | Runbeck    |            |
| Daniels      | Halverson  | Lee           | Nelson     | Sauke      |            |
| Davids       | Hamilton   | Lien          | Neu        | Schomacker |            |

All members answered to the call and it was so ordered.

The question recurred on the Hansen amendment and the roll was called. There were 53 yeas and 74 nays as follows:

Those who voted in the affirmative were:

|             |           |               |            |            |           |
|-------------|-----------|---------------|------------|------------|-----------|
| Allen       | Considine | Hansen        | Lee        | Metsa      | Poppe     |
| Applebaum   | Davnie    | Hausman       | Lien       | Moran      | Pryor     |
| Barr, R.    | Dehn, R.  | Hilstrom      | Lillie     | Murphy, E. | Rosenthal |
| Becker-Finn | Ecklund   | Hornstein     | Loeffler   | Murphy, M. | Sauke     |
| Bernardy    | Fischer   | Hortman       | Mahoney    | Nelson     | Schultz   |
| Bly         | Flanagan  | Johnson, C.   | Mariani    | Olson      | Sundin    |
| Carlson, A. | Franke    | Jurgens       | Marquart   | Omar       | Wagenius  |
| Carlson, L. | Freiberg  | Koegel        | Masin      | Pelowski   | Youakim   |
| Clark       | Halverson | Kunesh-Podein | Maye Quade | Pinto      |           |

Those who voted in the negative were:

|              |             |            |             |          |           |
|--------------|-------------|------------|-------------|----------|-----------|
| Albright     | Bliss       | Fabian     | Haley       | Kiel     | Lucero    |
| Anderson, P. | Christensen | Fenton     | Hamilton    | Knoblach | Lueck     |
| Anderson, S. | Daniels     | Franson    | Heintzeman  | Koznick  | McDonald  |
| Anselmo      | Davids      | Garofalo   | Hertaus     | Kresha   | Miller    |
| Backer       | Dean, M.    | Green      | Hoppe       | Layman   | Munson    |
| Bahr, C.     | Dettmer     | Grossell   | Howe        | Lohmer   | Nash      |
| Baker        | Drazkowski  | Gruenhagen | Jessup      | Loon     | Neu       |
| Bennett      | Erickson    | Gunther    | Johnson, B. | Loonan   | Newberger |

|            |          |            |            |        |            |
|------------|----------|------------|------------|--------|------------|
| Nornes     | Peterson | Rarick     | Swedzinski | Vogel  | Spk. Daudt |
| O'Driscoll | Pierson  | Runbeck    | Theis      | West   |            |
| O'Neill    | Poston   | Schomacker | Torkelson  | Whelan |            |
| Peppin     | Pugh     | Scott      | Uglem      | Wills  |            |
| Petersburg | Quam     | Smith      | Urdahl     | Zerwas |            |

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

#### CALL OF THE HOUSE LIFTED

Peppin moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Hansen moved to amend H. F. No. 4404, the second engrossment, as amended, as follows:

Page 24, line 28, delete "5,000,000" and insert "3,475,000"

Page 35, after line 35, insert:

"Subd. 5. **West St. Paul Infrastructure** 1,525,000

For a grant to the city of West St. Paul. Of this amount, up to \$300,000 is to design upgrades of Lift Stations 2, 3, 4, and 6, including replacement of the force mains; and up to \$1,225,000 is for upgrades to Lift Station 1 and to replace the force main. This project includes predesign, design, acquisition, and installation of replacement equipment, fixtures, and controls, and to predesign, design, and construct improvements to the Lift Station 1 building itself, and to construct a wet well outside of the building."

Adjust amounts accordingly

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

Urdahl moved to amend H. F. No. 4404, the second engrossment, as amended, as follows:

Page 13, delete subdivision 6 and insert:

"Subd. 6. **Elk River - Lake Orono** 1,500,000

For a grant to the city of Elk River to dredge Lake Orono."

Page 14, line 17, delete "20,300,000" and insert "13,800,000"

Page 15, line 11, delete "7,000,000" and insert "500,000"

Page 16, after line 17, insert:

"(e) Of this appropriation, up to \$1,000,000 may be used to acquire working lands easements."

Page 21, line 7, delete "91,921,000" and insert "90,721,000"

Page 22, after line 14, insert:

"Of this amount, \$9,000,000 for a grant to Carver County following a jurisdictional transfer to Carver County of the affected segment of marked Trunk Highway 101. The appropriation may be used for design, right-of-way acquisition, engineering, and reconstruction of the segment transferred to the county that is between Pioneer Trail and Flying Cloud Drive, including grade separation of a multipurpose pedestrian and bicycle trail from the segment for the Minnesota River Bluffs Regional Trail and a regional trail along marked Trunk Highway 101."

Page 22, delete lines 18 to 29 and insert:

"For design, right-of-way acquisition, construction engineering, construction, and equipping the interchange at Hennepin County State-Aid Highway 9 and marked Interstate Highway 494, including replacing the County State-Aid Highway 9 bridge over marked Interstate Highway 494 and the ramps connecting County State-Aid Highway 9 and marked Interstate Highway 494, notwithstanding any provisions of Minnesota Statutes section 174.52, or rule to the contrary. Of this appropriation, \$5,360,000 is from the bond proceeds account in the state transportation fund for a grant to the city of Plymouth, Hennepin County, or both, and \$5,360,000 is from the bond proceeds account in the trunk highway fund."

Page 23, after line 2, insert:

"Subd. 5. **Rail crossing improvements**

1,200,000

For one or more grants to Hennepin County or the affected city in the county to construct railroad crossing safety improvements in Hennepin County. Of this amount, 350,000 is for crossings at Townline Road and marked County Road 19 in the city of Loretto; \$450,000 is for crossings at marked Road 116/County Road 115 and Arrowhead Drive in the city of Medina; and \$400,000 is for crossings at East Lake Street and Barry Avenue in the city of Wayzata."

Page 25, line 34, delete "54,650,000" and insert "56,850,000"

Page 26, after line 9, insert:

**"Subd. 3. St. Peter Regional Treatment Center Campus - Dietary Building HVAC and Electrical Replacement**

2,200,000

To predesign, design, engineer, and renovate the mechanical and electrical systems in the Dietary Building on the St. Peter Regional Treatment Center campus, including: the upgrade, replacement, and improvement of existing heating and ventilation equipment; installation of air-conditioning equipment; replacement of the building's outdated and undersized electrical system; design and abatement of asbestos and hazardous materials; and structural, site, and utility work necessary to support the project."

Page 27, line 2, after the period, insert "The city of Minneapolis may operate a center providing services for Minnesota victims of sex trafficking; trauma-informed counseling services; early learning programming and therapeutic childcare; and statewide training for professionals and community leaders."

Page 31, after line 26, insert:

**"Subd. 13. Minneapolis American Indian Center**

5,000,000

From the general fund for a grant to design, construct, furnish, and equip the renovation and expansion of the center on Franklin Avenue. This project includes: demolition work; improvements and additions to, or replacement of, the mechanical, electrical, plumbing, heating, ventilating, and air conditioning systems; repairs to the existing roof and exterior enclosure; required site improvements; general renovation of interior spaces; and expansion of the cafe space, the event spaces, and the performance spaces."

Page 36, line 2, delete "6,700,000" and insert "10,000,000"

Page 39, after line 4, insert:

**"Sec. 27. TRUNK HIGHWAY BOND APPROPRIATIONS, AUTHORIZATION TAKE EFFECT ONLY ONCE.**

If an appropriation from the bond proceeds account in the trunk highway fund, and a corresponding authorization to sell trunk highway bonds, for the same purpose as in this act is enacted more than once in the 2018 legislative session, the appropriation and bond sale authorization must be given effect only once. If the appropriation and authorization for the same purpose are for different amounts, the highest of the amounts is the one to be given effect."

Renumber the subdivisions and sections in sequence and correct the internal references

Amend the title accordingly

Adjust amounts accordingly

A roll call was requested and properly seconded.

Urdahl moved to amend the Urdahl amendment to H. F. No. 4404, the second engrossment, as amended, as follows:

Page 4, after line 9, insert:

"Page 53, after line 25, insert:

"Sec. 20. Laws 2017, First Special Session chapter 3, article 1, section 2, subdivision 3, is amended to read:

Subd. 3. **State Roads**

|                                       |             |             |
|---------------------------------------|-------------|-------------|
| (a) <b>Operations and Maintenance</b> | 340,475,000 | 329,435,000 |
|---------------------------------------|-------------|-------------|

The base is \$317,102,000 in fiscal year 2020 and \$310,889,000 in fiscal year 2021.

(b) **Program Planning and Delivery**

|                                  |            |            |
|----------------------------------|------------|------------|
| (1) <b>Planning and Research</b> | 34,107,000 | 32,403,000 |
|----------------------------------|------------|------------|

If a balance remains of this appropriation, the commissioner may transfer up to that amount for program delivery under clause (2).

Up to \$600,000 in the first year is for the highway construction costs and cost inflation study under article 3, section 133. This is a onetime appropriation.

\$130,000 in each year is available for administrative costs of the targeted group business program.

\$266,000 in each year is available for grants to metropolitan planning organizations outside the seven-county metropolitan area.

\$900,000 in each year is available for grants for transportation studies outside the metropolitan area to identify critical concerns, problems, and issues. These grants are available:

(1) to regional development commissions;

(2) in regions where no regional development commission is functioning, to joint powers boards established under agreement of two or more political subdivisions in the region to exercise the planning functions of a regional development commission; and

(3) in regions where no regional development commission or joint powers board is functioning, to the Department of Transportation district office for that region.

The base is \$31,375,000 in fiscal year 2020 and \$30,858,000 in fiscal year 2021.

**(2) Program Delivery**

229,148,000

222,845,000

This appropriation includes use of consultants to support development and management of projects.

Up to \$140,000 in the first year is for development, implementation, and reporting on project selection policy under article 3, section 124. This is a onetime appropriation.

\$1,000,000 in each year is available for management of contaminated and regulated material on property owned by the Department of Transportation, including mitigation of property conveyances, facility acquisition or expansion, chemical release at maintenance facilities, and spills on the trunk highway system where there is no known responsible party. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The base is \$214,623,000 in fiscal year 2020 and \$210,481,000 in fiscal year 2021.

**(c) State Road Construction**

1,003,010,000

884,101,000

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts, internal department costs associated with delivering the construction program, consultant usage to support these activities, and the cost of actual payments to landowners for lands acquired for highway rights-of-way, payment to lessees, interest subsidies, and relocation expenses.

This appropriation includes federal highway aid.

The commissioner may expend up to one-half of one percent of the federal appropriations under this paragraph as grants to opportunity industrialization centers and other nonprofit job training centers for job training programs related to highway construction.

The commissioner may transfer up to \$15,000,000 each year to the transportation revolving loan fund.

The commissioner may receive money covering other shares of the cost of partnership projects. These receipts are appropriated to the commissioner for these projects.

The base is \$864,295,000 in fiscal year 2020 and \$849,282,000 in fiscal year 2021.

(d) **Corridors of Commerce** 25,000,000 25,000,000

This appropriation is for the corridors of commerce program under Minnesota Statutes, section 161.088.

The commissioner may use up to 17 percent of the amount each year for program delivery.

(e) **Highway Debt Service** 224,079,000 ~~242,325,000~~  
244,791,000

\$214,579,000 in fiscal year 2018 and ~~\$232,825,000~~ \$235,291,000 in fiscal year 2019 are for transfer to the state bond fund. If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of management and budget must transfer the deficiency amount under the statutory open appropriation and notify the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance and the chairs of the senate Finance Committee and the house of representatives Ways and Means Committee of the amount of the deficiency. Any excess appropriation cancels to the trunk highway fund.

(f) **Statewide Radio Communications** 5,648,000 5,829,000

Appropriations by Fund

|               | 2018      | 2019      |
|---------------|-----------|-----------|
| General       | 3,000     | 3,000     |
| Trunk Highway | 5,645,000 | 5,826,000 |

\$3,000 in each year is from the general fund to equip and operate the Roosevelt signal tower for Lake of the Woods weather broadcasting."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Hortman offered an amendment to the Urdahl amendment, as amended, to H. F. No. 4404, the second engrossment, as amended.



## POINT OF ORDER

Kresha raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hortman amendment to the Urdahl amendment, as amended, was not in order. Speaker pro tempore Albright ruled the point of order well taken and the Hortman amendment to the Urdahl amendment, as amended, out of order.

Hansen offered an amendment to the Urdahl amendment, as amended, to H. F. No. 4404, the second engrossment, as amended.

## POINT OF ORDER

Kresha raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hansen amendment to the Urdahl amendment, as amended, was not in order. Speaker pro tempore Albright ruled the point of order well taken and the Hansen amendment to the Urdahl amendment, as amended, out of order.

Hansen offered an amendment to the Urdahl amendment, as amended, to H. F. No. 4404, the second engrossment, as amended.

## POINT OF ORDER

Kresha raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hansen amendment to the Urdahl amendment, as amended, was not in order. Speaker pro tempore Albright ruled the point of order well taken and the Hansen amendment to the Urdahl amendment, as amended, out of order.

Hansen offered an amendment to the Urdahl amendment, as amended, to H. F. No. 4404, the second engrossment, as amended.

## POINT OF ORDER

Kresha raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hansen amendment to the Urdahl amendment, as amended, was not in order. Speaker pro tempore Albright ruled the point of order well taken and the Hansen amendment to the Urdahl amendment, as amended, out of order.

Pelowski was excused between the hours of 2:05 p.m. and 4:55 p.m.

Hansen offered an amendment to the Urdahl amendment, as amended, to H. F. No. 4404, the second engrossment, as amended.

## POINT OF ORDER

Kresha raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hansen amendment to the Urdahl amendment, as amended, was not in order. Speaker pro tempore Albright ruled the point of order well taken and the Hansen amendment to the Urdahl amendment, as amended, out of order.

Hansen offered an amendment to the Urdahl amendment, as amended, to H. F. No. 4404, the second engrossment, as amended.

## POINT OF ORDER

Kresha raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hansen amendment to the Urdahl amendment, as amended, was not in order. Speaker pro tempore Albright ruled the point of order well taken and the Hansen amendment to the Urdahl amendment, as amended, out of order.

The question recurred on the Urdahl amendment, as amended, and the roll was called. There were 97 yeas and 29 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Haley         | Layman     | Neu        | Smith      |
| Allen        | Dean, M.   | Hamilton      | Lee        | Newberger  | Swedzinski |
| Anderson, P. | Dehn, R.   | Hausman       | Loeffler   | Nornes     | Theis      |
| Anderson, S. | Dettmer    | Heintzeman    | Lohmer     | O'Driscoll | Torkelson  |
| Anselmo      | Drazkowski | Hertaus       | Loon       | Omar       | Uglen      |
| Backer       | Erickson   | Hoppe         | Loonan     | O'Neill    | Urdahl     |
| Bahr, C.     | Fabian     | Howe          | Lucero     | Peppin     | Vogel      |
| Baker        | Fenton     | Jessup        | Lueck      | Petersburg | West       |
| Barr, R.     | Flanagan   | Johnson, B.   | Mahoney    | Peterson   | Whelan     |
| Becker-Finn  | Franke     | Johnson, C.   | Mariani    | Pierson    | Wills      |
| Bennett      | Franson    | Jurgens       | Masin      | Poston     | Zerwas     |
| Bernardy     | Freiberg   | Kiel          | Maye Quade | Pugh       | Spk. Daudt |
| Bliss        | Garofalo   | Knoblach      | McDonald   | Quam       |            |
| Carlson, L.  | Green      | Koegel        | Miller     | Rarick     |            |
| Christensen  | Grossell   | Koznick       | Munson     | Runbeck    |            |
| Daniels      | Gruenhagen | Kresha        | Murphy, M. | Schomacker |            |
| Davids       | Gunther    | Kunesh-Podein | Nash       | Scott      |            |

Those who voted in the negative were:

|             |           |           |            |           |          |
|-------------|-----------|-----------|------------|-----------|----------|
| Applebaum   | Ecklund   | Hornstein | Metsa      | Pinto     | Schultz  |
| Bly         | Fischer   | Hortman   | Moran      | Poppe     | Sundin   |
| Carlson, A. | Halverson | Lien      | Murphy, E. | Pryor     | Wagenius |
| Clark       | Hansen    | Lillie    | Nelson     | Rosenthal | Youakim  |
| Cosidine    | Hilstrom  | Marquart  | Olson      | Sauke     |          |

The motion prevailed and the amendment, as amended, was adopted.

The Speaker resumed the Chair.

H. F. No. 4404, A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; modifying previous appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; appropriating money; amending Minnesota Statutes 2016, sections 16A.86, subdivision 4; 16B.335, subdivision 1; 16B.35, by adding a subdivision; 462A.37, subdivisions 1, 2, by adding a subdivision; Minnesota Statutes 2017 Supplement, sections 219.016, subdivision 4; 222.49; 326B.124; 446A.073, subdivision 1; 462A.37, subdivision 5; Laws 2009, chapter 93, article 1, section 14, subdivision 3, as amended; Laws 2014, chapter 294, article 1, sections 5, subdivision 3; 21, subdivision 12, as amended; 22, subdivision 5; Laws 2014, chapter 295, section 9; Laws 2015, First Special Session chapter 5, article 1, section 10, subdivision 3, as amended; Laws 2017, First Special Session chapter 8, article 1, sections 6, subdivision 6; 15, subdivisions 3, 6, 11, 13; 16, subdivision 7; 17, subdivision 9; 19, subdivision 3; 20, subdivision 21; 21, subdivision 8; 23, subdivision 3; 27; proposing coding for new law in Minnesota Statutes, chapters 174; 446A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 84 yeas and 39 nays as follows:

Those who voted in the affirmative were:

|              |           |             |               |            |            |
|--------------|-----------|-------------|---------------|------------|------------|
| Albright     | Considine | Gruenhagen  | Koznick       | Neu        | Schomacker |
| Allen        | Daniels   | Gunther     | Kresha        | Newberger  | Scott      |
| Anderson, P. | Davids    | Haley       | Kunesh-Podein | Nornes     | Smith      |
| Anderson, S. | Dean, M.  | Hamilton    | Layman        | O'Driscoll | Swedzinski |
| Anselmo      | Dettmer   | Hausman     | Lillie        | O'Neill    | Theis      |
| Backer       | Erickson  | Heintzeman  | Lohmer        | Peppin     | Torkelson  |
| Baker        | Fabian    | Hertaus     | Loon          | Petersburg | Uglem      |
| Barr, R.     | Fenton    | Hoppe       | Loonan        | Peterson   | Urdahl     |
| Becker-Finn  | Flanagan  | Howe        | Lucero        | Pierson    | Vogel      |
| Bennett      | Franke    | Jessup      | Lueck         | Poppe      | West       |
| Bliss        | Franson   | Johnson, B. | McDonald      | Poston     | Whelan     |
| Carlson, L.  | Freiberg  | Jurgens     | Miller        | Pugh       | Wills      |
| Christensen  | Garofalo  | Kiel        | Murphy, M.    | Rarick     | Zerwas     |
| Clark        | Grossell  | Knoblach    | Nash          | Runbeck    | Spk. Daudt |

Those who voted in the negative were:

|             |            |             |            |            |          |
|-------------|------------|-------------|------------|------------|----------|
| Applebaum   | Drazkowski | Hornstein   | Mahoney    | Munson     | Sauke    |
| Bahr, C.    | Ecklund    | Hortman     | Mariani    | Murphy, E. | Sundin   |
| Bernardy    | Fischer    | Johnson, C. | Marquart   | Nelson     | Wagenius |
| Bly         | Green      | Koegel      | Masin      | Omar       | Youakim  |
| Carlson, A. | Halverson  | Lee         | Maye Quade | Pinto      |          |
| Davnie      | Hansen     | Lien        | Metsa      | Pryor      |          |
| Dehn, R.    | Hilstrom   | Loeffler    | Moran      | Rosenthal  |          |

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

ANNOUNCEMENT BY THE SPEAKER  
PURSUANT TO RULE 1.15(c)

A message from the Senate has been received requesting concurrence by the House to amendments adopted by the Senate to the following House Files:

H. F. Nos. 2746 and 3548.

**CALENDAR FOR THE DAY, Continued**

H. F. No. 3380 was reported to the House.

Scott moved to amend H. F. No. 3380, the first engrossment, as follows:

Page 1, delete section 3

Page 2, delete section 4

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 3380, A bill for an act relating to civil law; amending the definitions of owner and rental agreement; allowing late fees and collection costs to be included in liens imposed by self-service storage facilities; clarifying property sale requirements for self-service storage facilities; amending Minnesota Statutes 2016, sections 514.971, subdivisions 3, 5; 514.972, subdivision 1, by adding a subdivision; 514.973, subdivision 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |             |            |            |             |               |
|--------------|-------------|------------|------------|-------------|---------------|
| Albright     | Bennett     | Davnie     | Franke     | Hansen      | Jurgens       |
| Allen        | Bernardy    | Dean, M.   | Franson    | Heintzeman  | Kiel          |
| Anderson, P. | Bliss       | Dehn, R.   | Freiberg   | Hertaus     | Knoblach      |
| Anderson, S. | Bly         | Dettmer    | Garofalo   | Hilstrom    | Koegel        |
| Anselmo      | Carlson, A. | Drazkowski | Green      | Hoppe       | Koznick       |
| Applebaum    | Carlson, L. | Ecklund    | Grossell   | Hornstein   | Kresha        |
| Backer       | Christensen | Erickson   | Gruenhagen | Hortman     | Kunesh-Podein |
| Bahr, C.     | Clark       | Fabian     | Gunther    | Howe        | Layman        |
| Baker        | Considine   | Fenton     | Haley      | Jessup      | Lee           |
| Barr, R.     | Daniels     | Fischer    | Halverson  | Johnson, B. | Lien          |
| Becker-Finn  | Davids      | Flanagan   | Hamilton   | Johnson, C. | Lillie        |

|          |            |            |           |            |            |
|----------|------------|------------|-----------|------------|------------|
| Loeffler | Maye Quade | Neu        | Pierson   | Sauke      | Urdahl     |
| Lohmer   | McDonald   | Newberger  | Pinto     | Schomacker | Vogel      |
| Loon     | Metsa      | Nornes     | Poppe     | Schultz    | Wagenius   |
| Loonan   | Miller     | O'Driscoll | Poston    | Scott      | West       |
| Lucero   | Moran      | Olson      | Pryor     | Smith      | Whelan     |
| Lueck    | Munson     | Omar       | Pugh      | Sundin     | Wills      |
| Mahoney  | Murphy, E. | O'Neill    | Quam      | Swedzinski | Youakim    |
| Mariani  | Murphy, M. | Peppin     | Rarick    | Theis      | Zerwas     |
| Marquart | Nash       | Petersburg | Rosenthal | Torkelson  | Spk. Daudt |
| Masin    | Nelson     | Peterson   | Runbeck   | Uglen      |            |

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

Lillie; Murphy, E., and Scott were excused for the remainder of today's session.

S. F. No. 3245, A bill for an act relating to energy; modifying the energy improvements program; providing consumer protections for residential property assessed clean energy (PACE) loans; providing remedies; amending Minnesota Statutes 2016, sections 45.011, subdivision 1; 46.04, subdivision 1; 46.131, subdivisions 1, 2, 4; 216C.435, subdivisions 1, 2, 3a, 6, 8, by adding subdivisions; 216C.436, subdivisions 1, 2, 5, 7, 8, 9, by adding a subdivision; 290B.03, subdivision 1; 429.011, subdivision 2a; 429.021, subdivision 1; 429.101, subdivision 1; 462A.05, subdivision 14b; Minnesota Statutes 2017 Supplement, section 46.131, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 2016, section 216C.435, subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |            |               |            |            |
|--------------|------------|------------|---------------|------------|------------|
| Albright     | Clark      | Garofalo   | Johnson, B.   | Mahoney    | Omar       |
| Allen        | Considine  | Green      | Johnson, C.   | Mariani    | O'Neill    |
| Anderson, P. | Daniels    | Grossell   | Jurgens       | Marquart   | Peppin     |
| Anderson, S. | Davids     | Gruenhagen | Kiel          | Masin      | Petersburg |
| Anselmo      | Davnie     | Gunther    | Knoblach      | Maye Quade | Peterson   |
| Applebaum    | Dean, M.   | Haley      | Koegel        | McDonald   | Pierson    |
| Backer       | Dehn, R.   | Halverson  | Koznick       | Metsa      | Pinto      |
| Bahr, C.     | Dettmer    | Hamilton   | Kresha        | Miller     | Poppe      |
| Baker        | Drazkowski | Hansen     | Kunesh-Podein | Moran      | Poston     |
| Barr, R.     | Ecklund    | Hausman    | Layman        | Munson     | Pryor      |
| Becker-Finn  | Erickson   | Heintzeman | Lee           | Murphy, M. | Pugh       |
| Bennett      | Fabian     | Hertaus    | Lien          | Nash       | Quam       |
| Bernardy     | Fenton     | Hilstrom   | Loeffler      | Nelson     | Rarick     |
| Bliss        | Fischer    | Hoppe      | Lohmer        | Neu        | Rosenthal  |
| Bly          | Flanagan   | Hornstein  | Loon          | Newberger  | Runbeck    |
| Carlson, A.  | Franke     | Hortman    | Loonan        | Nornes     | Sauke      |
| Carlson, L.  | Franson    | Howe       | Lucero        | O'Driscoll | Schomacker |
| Christensen  | Freiberg   | Jessup     | Lueck         | Olson      | Schultz    |

|            |           |          |        |            |
|------------|-----------|----------|--------|------------|
| Smith      | Theis     | Urdahl   | West   | Youakim    |
| Sundin     | Torkelson | Vogel    | Whelan | Zerwas     |
| Swedzinski | Uglen     | Wagenius | Wills  | Spk. Daudt |

The bill was passed and its title agreed to.

H. F. No. 3221 was reported to the House.

Garofalo moved to amend H. F. No. 3221, the first engrossment, as follows:

Page 6, after line 9, insert:

"Sec. 9. Minnesota Statutes 2016, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~ may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The county board may provide for balloting by mail in unorganized territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

**EFFECTIVE DATE.** This section is effective January 1, 2019, and applies to elections conducted on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Albright to the Chair.

H. F. No. 3221, A bill for an act relating to elections; making technical and policy changes to various election and election administration provisions; amending Minnesota Statutes 2016, sections 201.225, subdivision 2; 203B.081, subdivisions 1, 2; 203B.121, subdivision 4; 204B.35, by adding a subdivision; 204B.46; 204C.21, subdivision 1; 204C.24, subdivision 1; 204C.36, subdivision 1; 204D.19, by adding a subdivision; 204D.21, subdivision 3; 204D.27, subdivision 5; 206.80; 206.86, by adding a subdivision; 206.90, subdivision 6; 207A.14, subdivision 2; 367.25, subdivision 1; Minnesota Statutes 2017 Supplement, sections 201.121, subdivision 3; 204B.09, subdivision 3; 204B.16, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Hamilton      | Lee        | Nelson     | Sauke      |
| Allen        | Dean, M.   | Hansen        | Lesch      | Neu        | Schomacker |
| Anderson, P. | Dehn, R.   | Hausman       | Lien       | Newberger  | Schultz    |
| Anderson, S. | Dettmer    | Heintzeman    | Loeffler   | Nornes     | Slocum     |
| Anselmo      | Drazkowski | Hertaus       | Lohmer     | O'Driscoll | Smith      |
| Applebaum    | Ecklund    | Hilstrom      | Loon       | Olson      | Sundin     |
| Backer       | Erickson   | Hoppe         | Loonan     | Omar       | Swedzinski |
| Bahr, C.     | Fabian     | Hornstein     | Lucero     | O'Neill    | Theis      |
| Baker        | Fenton     | Hortman       | Lueck      | Peppin     | Torkelson  |
| Barr, R.     | Fischer    | Howe          | Mahoney    | Petersburg | Uglen      |
| Becker-Finn  | Flanagan   | Jessup        | Mariani    | Peterson   | Urdahl     |
| Bennett      | Franke     | Johnson, B.   | Marquart   | Pierson    | Vogel      |
| Bernardy     | Franson    | Johnson, C.   | Masin      | Pinto      | Wagenius   |
| Bliss        | Freiberg   | Jurgens       | Maye Quade | Poppe      | West       |
| Bly          | Garofalo   | Kiel          | McDonald   | Poston     | Whelan     |
| Carlson, A.  | Green      | Knoblach      | Metsa      | Pryor      | Wills      |
| Carlson, L.  | Grossell   | Koegel        | Miller     | Pugh       | Youakim    |
| Clark        | Gruenhagen | Koznick       | Moran      | Quam       | Zerwas     |
| Considine    | Gunther    | Kresha        | Munson     | Rarick     | Spk. Daudt |
| Daniels      | Haley      | Kunesh-Podein | Murphy, M. | Rosenthal  |            |
| Davids       | Halverson  | Layman        | Nash       | Runbeck    |            |

Those who voted in the negative were:

Christensen

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

H. F. No. 3799 was reported to the House.

Hoppe moved to amend H. F. No. 3799, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 60B.03, subdivision 15, is amended to read:

Subd. 15. **Insolvency or insolvent.** "Insolvency" or "insolvent" means:

(a) For an insurer organized under sections 67A.01 to 67A.26, the inability to pay any uncontested debt as it becomes due.

(b) For purposes of a liquidation under section 64B.43, subdivision 4, a fraternal authorized control level event under circumstances the commissioner determines will not be promptly remedied pursuant to the plan submitted under section 64B.43, subdivision 3, a society's inability to pay its debts or meet its obligations as they mature, or that a society's assets do not exceed its liabilities plus the greater of any surplus required by law to be constantly maintained.

~~(b)~~ (c) For any other insurer, that it is unable to pay its debts or meet its obligations as they mature or that its assets do not exceed its liabilities plus the greater of (1) any capital and surplus required by law to be constantly maintained, or (2) its authorized and issued capital stock. For purposes of this subdivision, "assets" includes one-half of the maximum total assessment liability of the policyholders of the insurer, and "liabilities" includes reserves required by law. For policies issued on the basis of unlimited assessment liability, the maximum total liability, for purposes of determining solvency only, shall be deemed to be that amount that could be obtained if there were 100 percent collection of an assessment at the rate of ten mills per dollar of insurance written by it and in force.

Sec. 2. Minnesota Statutes 2016, section 64B.19, subdivision 4a, is amended to read:

Subd. 4a. **Notice of extra assessments.** In the event that a society intends to make extra assessments, as provided in subdivision 4, it shall provide notice of the assessments it plans to make to the commissioner, and to the ~~commissioner~~ insurance regulator of its state of domicile if it is a foreign society, at least 90 days before the effective date of the assessments.

Sec. 3. Minnesota Statutes 2016, section 64B.19, is amended by adding a subdivision to read:

Subd. 4b. **Disapproval.** Within 60 days of filing, the commissioner may disapprove the assessment of a domestic society that has had a fraternal action level event under section 64B.42, or a fraternal authorized control level event under section 64B.43, if the commissioner determines that the assessment was not duly adopted, is not in the best interests of the benefit members, or does not materially improve the long-term viability of the society. The commissioner may approve an earlier effective date for the assessment.

Sec. 4. Minnesota Statutes 2016, section 64B.43, is amended to read:

**64B.43 FRATERNAL AUTHORIZED CONTROL LEVEL EVENT; DOMESTIC SOCIETIES.**

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

(b) "Fraternal authorized control level event" means any of the following events:

(1) the filing of a risk-based capital report by the society that indicates that the society's total adjusted capital is less than its fraternal authorized control level risk-based capital;

(2) the notification by the commissioner to the society of an adjusted risk-based capital report that indicates the event in clause (1), provided the society does not challenge the adjusted risk-based capital report under section 64B.44;

(3) if, pursuant to section 64B.44, the society challenges an adjusted risk-based capital report that indicates the event in clause (1), notification by the commissioner to the society that the commissioner has, after a hearing, rejected the society's challenge;

(4) the failure of the society to respond, in a manner satisfactory to the commissioner, to a corrective order, provided the society has not challenged the corrective order under section 64B.44;

(5) if the society has challenged a corrective order under section 64B.44 and the commissioner has, after a hearing, rejected the challenge or modified the corrective order, the failure of the society to respond, in a manner satisfactory to the commissioner, to the corrective order subsequent to rejection or modification by the commissioner;



(6) the failure of the society to submit a risk-based capital plan to the commissioner within the time period in section 64B.42;

(7) notification by the commissioner to the society that:

(i) the risk-based capital plan or revised risk-based capital plan submitted by the society is, in the judgment of the commissioner, unsatisfactory; and

(ii) the society has not challenged the determination under section 64B.44;

(8) if, pursuant to section 64B.44, the society challenges a determination by the commissioner under the notification by the commissioner to the society that the commissioner has, after a hearing, rejected the challenge;

(9) notification by the commissioner to the society that the society has failed to adhere to its risk-based capital plan or revised risk-based capital plan, but only if the failure has a substantial adverse effect on the ability of the society to eliminate the fraternal action level event according to its risk-based capital plan or revised risk-based capital plan and the commissioner has so stated in the notification, provided the society has not challenged the determination under section 64B.44; or

(10) if, pursuant to section 64B.44, the society challenges a determination by the commissioner under clause (9), the notification by the commissioner to the society that the commissioner has, after a hearing, rejected the challenge.

(c) "Society" means a domestic fraternal benefit society organized and operated under the laws of this state.

Subd. 2. **Commissioner's duties.** In the event of a fraternal authorized control level event with respect to a society, the commissioner shall:

(1) take the actions required under section 64B.42 regarding a society with respect to which a fraternal action level event has occurred; or

(2) if the commissioner considers it to be in the best interests of the certificate holders of the society, require the society to take one or more of the following actions:

(i) merge or otherwise consolidate with another willing authorized society;

(ii) cede any individual risk or risks, in whole or in part, to a willing society or life insurer;

(iii) suspend the issuance of new business; and

(iv) discontinue its insurance operations; or

(3) take the actions necessary to cause the society to be placed under regulatory control under chapter 60B. In the event the commissioner takes these actions, the fraternal authorized control level event is considered sufficient grounds for the commissioner to take action under chapter 60B, and the commissioner has the rights, powers, and duties with respect to the society set forth in chapter 60B. In the event the commissioner takes actions under this clause pursuant to an adjusted risk-based capital report, the society is entitled to the protections afforded to societies under section 60B.11 pertaining to summary proceedings.

Subd. 3. **Plan to transfer members.** (a) Within 45 days of a fraternal authorized control level event with respect to a society, the society shall present to the commissioner a plan to protect the interests of its members. The plan shall include transferring all members, certificates, and related assets and liabilities of the society, together with

any other assets and liabilities the society desires to transfer, to another firm, corporation, or organization through merger, consolidation, assumption, or other means. Any transfer shall constitute a novation of the transferring society's certificates effective upon the date of transfer. The commissioner shall review the plan within 45 days of its submission and may approve the plan within that time frame if the plan provides sound financial security for the payment of obligations arising under the certificates of the society and is otherwise in the best interest of the members.

(b) The transfer shall be:

(1) concluded within the time frame established by the commissioner, which shall not exceed 90 days;

(2) approved by the society upon majority vote of its board of directors prior to the submission of the plan to the commissioner; and

(3) effective notwithstanding the provisions of section 64B.14 or any other requirement of statute or rule or the laws of the society requiring another form of notice to members or approval by the supreme governing body.

Any notice to or approval of a transfer required by the laws of the society or statute or rule shall be suspended by this subdivision.

(c) Upon application, the commissioner may approve a transfer under this subdivision to a foreign fraternal benefit society that does not have a certificate of authority to transact insurance in this state if the foreign fraternal benefit society is authorized to transact insurance by and is domiciled in a state accredited by the National Association of Insurance Commissioners. If the commissioner determines that the foreign fraternal benefit society has sufficient financial strength and servicing capabilities to satisfy the obligations arising under the transferring society's certificates, the commissioner may issue an order to authorize the foreign fraternal benefit society to service the certificates resulting from a transfer, including issuing any amendments or revisions requested by the holder of the certificate and to fulfill all obligations arising under the certificate, but not to otherwise transact insurance business in this state.

(d) Upon the effective date of a transfer to an insurer with a certificate of authority to do business in this state and in consideration of that transfer, each member of the society shall be deemed to agree that any terms of a certificate subjecting the certificate to the laws of the society or providing rights or obligations of membership, except to the extent of any outstanding lien not released by the terms of the transfer, shall be null and void and the insurer shall endorse the certificates accordingly.

(e) Upon the effective date of a transfer to a firm, corporation, or organization that is not a fraternal benefit society and in consideration of that transfer, each member of the society shall be deemed to agree that any terms of a certificate subjecting the certificate to the laws of the society or providing rights or obligations of membership, except to the extent of any outstanding lien not released by the terms of the transfer, shall be null and void and the firm, corporation, or organization shall endorse the certificates accordingly.

(f) The board of directors of a society may suspend or modify its qualifications for membership as necessary or appropriate to facilitate a transfer under this subdivision, notwithstanding the laws of the society or any statute or rule to the contrary.

(g) Each society shall amend their laws to permit the transactions contemplated by this subdivision, including suspending any provisions requiring any notice to members or approval of the supreme governing body with respect to the transfer of its certificates and policies, if the society has a fraternal authorized control level event and the transfer is approved by the commissioner.

Subd. 4. **Liquidation.** (a) In the event of a fraternal authorized control level event with respect to a society under circumstances the commissioner determines will not be promptly remedied pursuant to the authorization provided in subdivision 3, the commissioner may apply for a verified petition to commence liquidation of the society under section 60B.20. These circumstances qualify as grounds to commence a liquidation under section 60B.20, clause (1).

(b) If the requirements of paragraph (a) are met, the commissioner may issue an order declaring the society to be in hazardous financial condition under the standards of section 60G.20, and initiate proceedings pursuant to this subdivision. Nothing in this subdivision prevents the commissioner from applying for an order to commence the liquidation of a society under any of the grounds in section 60B.20.

(c) Liquidation proceedings for a society shall be governed by chapter 60B, except to the extent the provisions of chapter 60B are in conflict or inconsistent with any provisions in this chapter.

(d) Liquidation proceedings for a society shall be conducted consistent with the purposes of section 60B.01, subdivision 4, paragraph (c), in a manner designed to conserve assets and to limit expenses of the liquidation under section 60B.44, subdivision 2."

Amend the title accordingly

Hoppe moved to amend the Hoppe amendment to H. F. No. 3799, the first engrossment, as follows:

Page 2, line 5, after "Disapproval" insert "of extra assessments"

Page 2, line 6, before "assessment" insert "extra"

Page 2, line 10, before "assessment" insert "extra"

Page 3, after line 18, insert:

"(c) "Qualifying society" means a fraternal benefit society, whether foreign or domestic, that has the financial strength and administrative capability to accept a transfer of certificates under subdivision 3 and is domiciled in a state accredited by the National Association of Insurance Commissioners."

Page 3, line 19, delete "(c)" and insert "(d)"

Page 4, line 30, delete "fraternal benefit" and insert "qualifying"

Page 4, line 31, delete everything after "state"

Page 4, delete line 32

Page 4, line 33, delete "Commissioners"

Page 5, line 23, delete "and"

Page 5, line 24, delete "policies,"

Page 5, line 30, delete "qualify as" and insert "shall be deemed to satisfy"

Page 5, line 31, delete "clause (1)"

Page 5, line 32, delete "(b) If the requirements of paragraph (a) are met,"

Page 5, line 34, after "60G.20" insert "subdivision 1, clause (15)"

Page 6, line 3, delete "(c)" and insert "(b)"

Page 6, line 6, delete "(d)" and insert "(c)"

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

The question recurred on the Hoppe amendment, as amended, to H. F. No. 3799, the first engrossment. The motion prevailed and the amendment, as amended, was adopted.

Applebaum was excused for the remainder of today's session.

H. F. No. 3799, A bill for an act relating to commerce; regulating fraternal benefit societies; amending Minnesota Statutes 2016, sections 60B.03, subdivision 15; 64B.19, subdivision 4a; 64B.43; proposing coding for new law in Minnesota Statutes, chapter 64B.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Hamilton      | Lee        | Neu        | Schomacker |
| Allen        | Dean, M.   | Hansen        | Lesch      | Newberger  | Schultz    |
| Anderson, P. | Dehn, R.   | Hausman       | Lien       | Nornes     | Slocum     |
| Anderson, S. | Dettmer    | Heintzeman    | Loeffler   | O'Driscoll | Smith      |
| Anselmo      | Drazkowski | Hertaus       | Lohmer     | Olson      | Sundin     |
| Backer       | Ecklund    | Hilstrom      | Loon       | Omar       | Swedzinski |
| Bahr, C.     | Erickson   | Hoppe         | Loonan     | O'Neill    | Theis      |
| Baker        | Fabian     | Hornstein     | Lucero     | Peppin     | Torkelson  |
| Barr, R.     | Fenton     | Hortman       | Lueck      | Petersburg | Uglen      |
| Becker-Finn  | Fischer    | Howe          | Mahoney    | Peterson   | Urdahl     |
| Bennett      | Flanagan   | Jessup        | Mariani    | Pierson    | Vogel      |
| Bernardy     | Franke     | Johnson, B.   | Marquart   | Pinto      | Wagenius   |
| Bliss        | Franson    | Johnson, C.   | Masin      | Poppe      | West       |
| Bly          | Freiberg   | Jurgens       | Maye Quade | Poston     | Whelan     |
| Carlson, A.  | Garofalo   | Kiel          | McDonald   | Pryor      | Wills      |
| Carlson, L.  | Green      | Knoblach      | Metsa      | Pugh       | Youakim    |
| Christensen  | Grossell   | Koegel        | Miller     | Quam       | Zerwas     |
| Clark        | Gruenhagen | Koznick       | Munson     | Rarick     | Spk. Daudt |
| Considine    | Gunther    | Kresha        | Murphy, M. | Rosenthal  |            |
| Daniels      | Haley      | Kunesh-Podein | Nash       | Runbeck    |            |
| Davids       | Halverson  | Layman        | Nelson     | Sauke      |            |

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

H. F. No. 4133 was reported to the House.

Newberger moved to amend H. F. No. 4133, the second engrossment, as follows:

Page 11, after line 28, insert:

"Sec. 13. Minnesota Statutes 2016, section 28A.152, as amended by Laws 2017, chapter 88, article 2, section 53, is amended to read:

**28A.152 COTTAGE FOODS EXEMPTION.**

Subdivision 1. **Licensing provisions applicability.** (a) The licensing provisions of sections 28A.01 to 28A.16 do not apply to the following:

(1) an ~~individual who~~ eligible entity that prepares and sells food that is not potentially hazardous food, as defined in Minnesota Rules, part 4626.0020, subpart 62, if the following requirements are met:

(i) the prepared food offered for sale under this clause is labeled to accurately reflect the name and address of the ~~individual~~ eligible entity preparing and selling the food, the date on which the food was prepared, and the ingredients and any possible allergens; and

(ii) the ~~individual~~ eligible entity displays at the point of sale a clearly legible sign or placard stating: "These products are homemade and not subject to state inspection."; and

(2) an ~~individual who~~ eligible entity that prepares and sells home-processed and home-canned food products if the following requirements are met:

(i) the products are pickles, vegetables, or fruits having an equilibrium pH value of 4.6 or lower;

(ii) the products are home-processed and home-canned in Minnesota;

(iii) the ~~individual~~ eligible entity displays at the point of sale a clearly legible sign or placard stating: "These canned goods are homemade and not subject to state inspection."; and

(iv) each container of the product sold or offered for sale under this clause is accurately labeled to provide the name and address of the ~~individual who~~ eligible entity that processed and canned the goods, the date on which the goods were processed and canned, and ingredients and any possible allergens.

(b) An ~~individual who~~ eligible entity that qualifies for an exemption under paragraph (a), clause (2), is also exempt from the provisions of sections 31.31 and 31.392.

**Subd. 1a. Definition.** For purposes of this section, "eligible entity" means a limited liability company that satisfies the insurance requirements under subdivision 8, or an individual.

Subd. 2. **Direct sales to consumers.** (a) An ~~individual~~ eligible entity qualifying for an exemption under subdivision 1 may sell the exempt food:

(1) directly to the ultimate consumer at a community event or farmers' market;

(2) directly from the ~~individual's~~ eligible entity's home to the ultimate consumer, to the extent allowed by local ordinance; or

(3) through donation to a community event with the purpose of fund-raising for an individual, or fund-raising for an educational, charitable, or religious organization.

(b) If an exempt food product will be delivered to the ultimate consumer upon sale of the food product, the ~~individual who~~ eligible entity that prepared the food product must be the person who delivers the food product to the ultimate consumer.

(c) Food products exempt under subdivision 1, paragraph (a), clause (2), may not be sold outside of Minnesota.

(d) Food products exempt under subdivision 1 may be sold over the Internet but must be delivered directly to the ultimate consumer by the ~~individual who~~ eligible entity that prepared the food product. The statement "These products are homemade and not subject to state inspection." must be displayed on the Web site that offers the exempt foods for purchase.

Subd. 3. **Limitation on sales.** An ~~individual~~ eligible entity selling exempt foods under this section is limited to total sales with gross receipts of \$18,000 or less in a calendar year.

Subd. 4. **Registration.** An ~~individual who~~ eligible entity that prepares and sells exempt food under subdivision 1 must register annually with the commissioner. The annual registration fee is \$50. An ~~individual~~ eligible entity with \$5,000 or less in annual gross receipts from the sale of exempt food under this section is not required to pay the registration fee.

Subd. 5. **Training.** (a) An ~~individual~~ eligible entity with gross receipts between \$5,000 and \$18,000 in a calendar year from the sale of exempt food under this section must complete a safe food handling training course that is approved by the commissioner before registering under subdivision 4. The training shall not exceed eight hours and must be completed every three years while the ~~individual~~ eligible entity is registered under subdivision 4.

(b) An ~~individual~~ eligible entity with gross receipts of less than \$5,000 in a calendar year from the sale of exempt food under this section must satisfactorily complete an online course and exam as approved by the commissioner before registering under subdivision 4. The commissioner shall offer the online course and exam under this paragraph at no cost to the ~~individual~~ eligible entity.

Subd. 6. **Local ordinances.** This section does not preempt the application of any business licensing requirement or sanitation, public health, or zoning ordinance of a political subdivision.

Subd. 7. **Account established.** A cottage foods account is created as a separate account in the agricultural fund in the state treasury for depositing money received by the commissioner under this section. Money in the account, including interest, is appropriated to the commissioner for purposes of this section.

Subd. 8. **Insurance required.** The commissioner must not register a limited liability company under subdivision 4 unless the limited liability company furnishes sufficient proof that it maintains liability insurance coverage of at least \$1,000,000. The insurance must cover a period of time at least equal to the term of the registration. The commissioner must immediately suspend the registration of a limited liability company that fails to maintain the required insurance. The insurance policy must contain a provision requiring the insurance company to

notify the commissioner no later than ten days before the effective date of any cancellation, termination, or other material change to the insurance coverage. If there is recovery against the insurance, the limited liability company must secure additional coverage if necessary to maintain coverage of at least \$1,000,000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Anderson, P., moved to amend H. F. No. 4133, the second engrossment, as amended, as follows:

Page 2, after line 10, insert:

"Sec. 2. Minnesota Statutes 2016, section 17.117, subdivision 1, is amended to read:

Subdivision 1. **Purpose.** The purpose of the agriculture best management practices loan program is to provide low or no interest financing to farmers, agriculture supply businesses, rural landowners, chapter 103E drainage authorities, and water-quality cooperatives for the implementation of agriculture and other best management practices that reduce environmental pollution.

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

Sec. 3. Minnesota Statutes 2016, section 17.117, subdivision 4, is amended to read:

Subd. 4. **Definitions.** (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Agricultural and environmental revolving accounts" means accounts in the agricultural fund, controlled by the commissioner, which hold funds available to the program.

(c) "Agriculture supply business" means a person, partnership, joint venture, corporation, limited liability company, association, firm, public service company, or cooperative that provides materials, equipment, or services to farmers or agriculture-related enterprises.

(d) "Allocation" means the funds awarded to an applicant for implementation of best management practices through a competitive or noncompetitive application process.

(e) "Applicant" means a local unit of government eligible to participate in this program that requests an allocation of funds as provided in subdivision 6b.

(f) "Best management practices" has the meaning given in sections 103F.711, subdivision 3, and 103H.151, subdivision 2. Best management practices also means other practices, techniques, and measures that have been demonstrated to the satisfaction of the commissioner: (1) to prevent or reduce adverse environmental impacts by using the most effective and practicable means of achieving environmental goals; or (2) to achieve drinking water quality standards under chapter 103H or under Code of Federal Regulations, title 40, parts 141 and 143, as amended.

(g) "Borrower" means a farmer, an agriculture supply business, ~~or a rural landowner~~, or a chapter 103E drainage authority applying for a low-interest loan.

(h) "Commissioner" means the commissioner of agriculture, including when the commissioner is acting in the capacity of chair of the Rural Finance Authority, or the designee of the commissioner.

(i) "Committed project" means an eligible project scheduled to be implemented at a future date:

(1) that has been approved and certified by the local government unit; and

(2) for which a local lender has obligated itself to offer a loan.

(j) "Comprehensive water management plan" means a state-approved and locally adopted plan authorized under section 103B.231, 103B.255, 103B.311, 103C.331, 103D.401, or 103D.405.

(k) "Cost incurred" means expenses for implementation of a project accrued because the borrower has agreed to purchase equipment or is obligated to pay for services or materials already provided as a result of implementing an approved eligible project.

(l) "Farmer" means a person, partnership, joint venture, corporation, limited liability company, association, firm, public service company, or cooperative that regularly participates in physical labor or operations management of farming and files a Schedule F as part of filing United States Internal Revenue Service Form 1040 or indicates farming as the primary business activity under Schedule C, K, or S, or any other applicable report to the United States Internal Revenue Service.

(m) "Lender agreement" means an agreement entered into between the commissioner and a local lender which contains terms and conditions of participation in the program.

(n) "Local government unit" means a county, soil and water conservation district, or an organization formed for the joint exercise of powers under section 471.59 with the authority to participate in the program.

(o) "Local lender" means a local government unit as defined in paragraph (n), a state or federally chartered bank, a savings association, a state or federal credit union, Agribank and its affiliated organizations, or a nonprofit economic development organization or other financial lending institution approved by the commissioner.

(p) "Local revolving loan account" means the account held by a local government unit and a local lender into which principal repayments from borrowers are deposited and new loans are issued in accordance with the requirements of the program and lender agreements.

(q) "Nonpoint source" has the meaning given in section 103F.711, subdivision 6.

(r) "Program" means the agriculture best management practices loan program in this section.

(s) "Project" means one or more components or activities located within Minnesota that are required by the local government unit to be implemented for satisfactory completion of an eligible best management practice.

(t) "Rural landowner" means the owner of record of Minnesota real estate located in an area determined by the local government unit to be rural after consideration of local land use patterns, zoning regulations, jurisdictional boundaries, local community definitions, historical uses, and other pertinent local factors.

(u) "Water-quality cooperative" has the meaning given in section 115.58, paragraph (d), except as expressly limited in this section.

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



Sec. 4. Minnesota Statutes 2016, section 17.117, subdivision 11, is amended to read:

Subd. 11. **Loans issued to borrower.** (a) Local lenders may issue loans only for projects that are approved and certified by the local government unit as meeting priority needs identified in a comprehensive water management plan or other local planning documents, are in compliance with accepted practices, standards, specifications, or criteria, and are eligible for financing under Environmental Protection Agency or other applicable guidelines.

(b) The local lender may use any additional criteria considered necessary to determine the eligibility of borrowers for loans.

(c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

(1) no loan to a borrower may exceed \$200,000;

(2) no loan for a project may exceed \$200,000; and

(3) no borrower shall, at any time, have multiple loans from this program with a total outstanding loan balance of more than \$200,000.

Notwithstanding the limits in clauses (1) to (3), a chapter 103E drainage authority may request a loan to finance projects implemented on behalf of multiple landowners and the loan must not exceed an amount equal to the number of landowners represented in the drainage system multiplied by the limit in clause (1).

(d) The maximum term length for projects in this paragraph is ten years.

(e) Fees charged at the time of closing must:

(1) be in compliance with normal and customary practices of the local lender;

(2) be in accordance with published fee schedules issued by the local lender;

(3) not be based on participation program; and

(4) be consistent with fees charged other similar types of loans offered by the local lender.

(f) The interest rate assessed to an outstanding loan balance by the local lender must not exceed three percent per year.

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

Page 5, lines 24 to 26, reinstate the stricken language

Page 13, delete section 20 and insert:

"Sec. 23. Minnesota Statutes 2016, section 41A.16, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must source from Minnesota at least 80 percent ~~raw materials from Minnesota.~~ of the biomass used to produce an advanced biofuel, except that, if a facility is sited 50 miles or less from the state border, raw materials biomass used to produce an advanced biofuel may be sourced from outside of Minnesota, but only if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility or from within Minnesota. ~~Raw materials must be from agricultural or forestry sources or from solid waste.~~ The facility must be located in Minnesota, must begin production at a specific location

by June 30, 2025, and must not begin operating above 23,750 MMBtu of quarterly advanced biofuel production before July 1, 2015. Eligible facilities include existing companies and facilities that are adding advanced biofuel production capacity, or retrofitting existing capacity, as well as new companies and facilities. Production of conventional corn ethanol and conventional biodiesel is not eligible. Eligible advanced biofuel facilities must produce at least ~~23,750~~ 1,500 MMBtu of advanced biofuel quarterly.

(b) No payments shall be made for advanced biofuel production that occurs after June 30, 2035, for those eligible biofuel producers under paragraph (a).

(c) An eligible producer of advanced biofuel shall not transfer the producer's eligibility for payments under this section to an advanced biofuel facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Renewable chemical production for which payment has been received under section 41A.17, and biomass thermal production for which payment has been received under section 41A.18, are not eligible for payment under this section.

(f) Biobutanol is eligible under this section."

Page 14, delete section 22 and insert:

"Sec. 25. Minnesota Statutes 2016, section 41A.17, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this ~~program~~ section must source from Minnesota at least 80 percent ~~biobased content from Minnesota.~~ of the biomass used to produce a renewable chemical, except that, if a facility is sited 50 miles or less from the state border, biobased content must biomass used to produce a renewable chemical may be sourced from outside of Minnesota, but only if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility or from within Minnesota. ~~Biobased content must be from agricultural or forestry sources or from solid waste.~~ The facility must be located in Minnesota, must begin production at a specific location by June 30, 2025, and must not begin production of ~~750,000~~ 250,000 pounds of chemicals quarterly before January 1, 2015. Eligible facilities include existing companies and facilities that are adding production capacity, or retrofitting existing capacity, as well as new companies and facilities. Eligible renewable chemical facilities must produce at least ~~750,000~~ 250,000 pounds of renewable chemicals quarterly. Renewable chemicals produced through processes that are fully commercial before January 1, 2000, are not eligible.

(b) No payments shall be made for renewable chemical production that occurs after June 30, 2035, for those eligible renewable chemical producers under paragraph (a).

(c) An eligible producer of renewable chemicals shall not transfer the producer's eligibility for payments under this section to a renewable chemical facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Advanced biofuel production for which payment has been received under section 41A.16, and biomass thermal production for which payment has been received under section 41A.18, are not eligible for payment under this section."

Page 16, delete section 25 and insert:

"Sec. 25. Minnesota Statutes 2016, section 41A.18, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must source from Minnesota at least 80 percent ~~raw materials from Minnesota.~~ of the biomass used for biomass thermal production, except that, if a facility is sited 50 miles or less from the state border, ~~raw materials should~~ biomass used for biomass thermal production may be sourced from outside of Minnesota, but only if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility, or from within Minnesota. ~~Raw materials~~ Biomass must be from agricultural or forestry sources. The facility must be located in Minnesota, must have begun production at a specific location by June 30, 2025, and must not begin before July 1, 2015. Eligible facilities include existing companies and facilities that are adding production capacity, or retrofitting existing capacity, as well as new companies and facilities. Eligible biomass thermal production facilities must produce at least 250 MMBtu of biomass thermal quarterly.

(b) No payments shall be made for biomass thermal production that occurs after June 30, 2035, for those eligible biomass thermal producers under paragraph (a).

(c) An eligible producer of biomass thermal production shall not transfer the producer's eligibility for payments under this section to a biomass thermal production facility at a different location.

(d) A producer that ceases production for any reason is ineligible to receive payments under this section until the producer resumes production.

(e) Biofuel production for which payment has been received under section 41A.16, and renewable chemical production for which payment has been received under section 41A.17, are not eligible for payment under this section."

Page 19, delete section 33

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Johnson, C., moved to amend the Anderson, P., amendment to H. F. No. 4133, the second engrossment, as amended, as follows:

Page 6, after line 30, insert:

"Page 20, delete section 34"

A roll call was requested and properly seconded.

The question was taken on the Johnson, C., amendment to the Anderson, P., amendment and the roll was called. There were 50 yeas and 75 nays as follows:

Those who voted in the affirmative were:

|             |           |               |            |           |          |
|-------------|-----------|---------------|------------|-----------|----------|
| Allen       | Davnie    | Hausman       | Lesch      | Nelson    | Slocum   |
| Anselmo     | Dehn, R.  | Hilstrom      | Loeffler   | Olson     | Sundin   |
| Becker-Finn | Ecklund   | Hornstein     | Mahoney    | Omar      | Wagenius |
| Bernardy    | Erickson  | Hortman       | Mariani    | Pinto     | Ward     |
| Bly         | Fischer   | Jessup        | Masin      | Poppe     | Youakim  |
| Carlson, A. | Flanagan  | Johnson, C.   | Maye Quade | Pryor     |          |
| Carlson, L. | Freiberg  | Koegel        | Metsa      | Rosenthal |          |
| Clark       | Halverson | Kunesh-Podein | Moran      | Sauke     |          |
| Considine   | Hansen    | Lee           | Murphy, M. | Schultz   |          |

Those who voted in the negative were:

|              |            |             |            |            |            |
|--------------|------------|-------------|------------|------------|------------|
| Albright     | Dettmer    | Heintzeman  | Loon       | O'Neill    | Theis      |
| Anderson, P. | Drazkowski | Hertaus     | Loonan     | Peppin     | Torkelson  |
| Anderson, S. | Fabian     | Hoppe       | Lucero     | Petersburg | Uglem      |
| Backer       | Fenton     | Howe        | Lueck      | Peterson   | Urdahl     |
| Bahr, C.     | Franke     | Johnson, B. | Marquart   | Pierson    | Vogel      |
| Baker        | Franson    | Jurgens     | McDonald   | Poston     | West       |
| Barr, R.     | Garofalo   | Kiel        | Miller     | Pugh       | Whelan     |
| Bennett      | Green      | Knoblach    | Munson     | Quam       | Wills      |
| Bliss        | Grossell   | Koznick     | Nash       | Rarick     | Zerwas     |
| Christensen  | Gruenhagen | Kresha      | Neu        | Runbeck    | Spk. Daudt |
| Daniels      | Gunther    | Layman      | Newberger  | Schomacker |            |
| Davids       | Haley      | Lien        | Nornes     | Smith      |            |
| Dean, M.     | Hamilton   | Lohmer      | O'Driscoll | Swedzinski |            |

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

The question recurred on the Anderson, P., amendment to H. F. No. 4133, the second engrossment, as amended. The motion prevailed and the amendment was adopted.

Anderson, P., moved to amend H. F. No. 4133, the second engrossment, as amended, as follows:

Page 1, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 4133, A bill for an act relating to agriculture; making policy and technical changes to various agricultural provisions; classifying agricultural research data maintained by the University of Minnesota; amending Minnesota Statutes 2016, sections 13.643, subdivision 7; 17.494; 17.4982, by adding subdivisions; 18.83,

subdivision 7; 18B.34, subdivision 5; 25.33, subdivision 8; 28A.04, subdivision 1; 28A.08, subdivision 3; 29.26; 34A.11, subdivision 7; 41A.15, subdivision 10, by adding a subdivision; 41A.16, subdivisions 1, 4; 41A.17, subdivisions 1, 2, 3; 41A.18, subdivisions 1, 3; 41B.02, subdivision 10a; 41B.047, subdivisions 1, 3; 41B.049, subdivision 5; 41B.055, subdivision 3; 41B.057, subdivision 3; 41B.06; 103H.275, subdivision 1; Minnesota Statutes 2017 Supplement, sections 28A.05; 32D.13, by adding a subdivision; 32D.20, subdivision 2; 32D.22; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 2016, section 41A.15, subdivisions 2a, 2b.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 81 yeas and 43 nays as follows:

Those who voted in the affirmative were:

|              |            |             |            |            |            |
|--------------|------------|-------------|------------|------------|------------|
| Albright     | Dettmer    | Hamilton    | Loon       | O'Driscoll | Swedzinski |
| Anderson, P. | Drazkowski | Heintzeman  | Loonan     | O'Neill    | Theis      |
| Anderson, S. | Ecklund    | Hertaus     | Lucero     | Peppin     | Torkelson  |
| Anselmo      | Erickson   | Hoppe       | Lueck      | Petersburg | Uglen      |
| Backer       | Fabian     | Howe        | Marquart   | Peterson   | Urdahl     |
| Bahr, C.     | Fenton     | Jessup      | McDonald   | Pierson    | Vogel      |
| Baker        | Franke     | Johnson, B. | Metsa      | Poston     | West       |
| Barr, R.     | Franson    | Jurgens     | Miller     | Pugh       | Whelan     |
| Bennett      | Garofalo   | Kiel        | Munson     | Quam       | Wills      |
| Bliss        | Green      | Knoblach    | Murphy, M. | Rarick     | Zerwas     |
| Christensen  | Grossell   | Koznick     | Nash       | Runbeck    | Spk. Daudt |
| Daniels      | Gruenhagen | Kresha      | Neu        | Schomacker |            |
| Davids       | Gunther    | Layman      | Newberger  | Smith      |            |
| Dean, M.     | Haley      | Lohmer      | Nornes     | Sundin     |            |

Those who voted in the negative were:

|             |           |               |            |           |          |
|-------------|-----------|---------------|------------|-----------|----------|
| Allen       | Dehn, R.  | Hornstein     | Loeffler   | Omar      | Wagenius |
| Becker-Finn | Fischer   | Hortman       | Mahoney    | Pinto     | Ward     |
| Bernardy    | Flanagan  | Johnson, C.   | Mariani    | Poppe     | Youakim  |
| Bly         | Freiberg  | Koegel        | Masin      | Pryor     |          |
| Carlson, A. | Halverson | Kunesh-Podein | Maye Quade | Rosenthal |          |
| Carlson, L. | Hansen    | Lee           | Moran      | Sauke     |          |
| Considine   | Hausman   | Lesch         | Nelson     | Schultz   |          |
| Davnie      | Hilstrom  | Lien          | Olson      | Slocum    |          |

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

Speaker pro tempore Albright called Garofalo to the Chair.

H. F. No. 4425, A bill for an act relating to capital investment; appropriating money for the Rural Finance Authority; authorizing the sale and issuance of state bonds.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 3 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dean, M.   | Hausman       | Loeffler   | Nornes     | Slocum     |
| Allen        | Dehn, R.   | Heintzeman    | Lohmer     | O'Driscoll | Smith      |
| Anderson, P. | Dettmer    | Hilstrom      | Loon       | Olson      | Sundin     |
| Anderson, S. | Ecklund    | Hoppe         | Loonan     | Omar       | Swedzinski |
| Anselmo      | Erickson   | Hornstein     | Lucero     | O'Neill    | Theis      |
| Backer       | Fabian     | Hortman       | Lueck      | Peppin     | Torkelson  |
| Baker        | Fenton     | Howe          | Mahoney    | Petersburg | Uglen      |
| Barr, R.     | Fischer    | Jessup        | Mariani    | Peterson   | Urdahl     |
| Becker-Finn  | Flanagan   | Johnson, B.   | Marquart   | Pierson    | Vogel      |
| Bennett      | Franke     | Johnson, C.   | Masin      | Pinto      | Wagenius   |
| Bernardy     | Franson    | Jurgens       | Maye Quade | Poppe      | Ward       |
| Bliss        | Freiberg   | Kiel          | McDonald   | Poston     | West       |
| Bly          | Garofalo   | Knoblach      | Metsa      | Pryor      | Whelan     |
| Carlson, A.  | Green      | Koegel        | Miller     | Pugh       | Wills      |
| Carlson, L.  | Grossell   | Koznick       | Moran      | Quam       | Youakim    |
| Christensen  | Gruenhagen | Kresha        | Munson     | Rarick     | Zerwas     |
| Clark        | Gunther    | Kunesh-Podein | Murphy, M. | Rosenthal  | Spk. Daudt |
| Considine    | Haley      | Layman        | Nash       | Runbeck    |            |
| Daniels      | Halverson  | Lee           | Nelson     | Sauke      |            |
| Davids       | Hamilton   | Lesch         | Neu        | Schomacker |            |
| Davnie       | Hansen     | Lien          | Newberger  | Schultz    |            |

Those who voted in the negative were:

|          |            |         |
|----------|------------|---------|
| Bahr, C. | Draskowski | Hertaus |
|----------|------------|---------|

The bill was passed and its title agreed to.

S. F. No. 3461, A bill for an act relating to military veterans; recodifying certain GI Bill statutory language; making technical changes; amending Minnesota Statutes 2016, section 197.791, subdivision 6, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 197.791, subdivisions 3, 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |             |            |          |            |             |
|--------------|-------------|------------|----------|------------|-------------|
| Albright     | Becker-Finn | Considine  | Erickson | Green      | Heintzeman  |
| Allen        | Bennett     | Daniels    | Fabian   | Grossell   | Hertaus     |
| Anderson, P. | Bernardy    | Davids     | Fenton   | Gruenhagen | Hilstrom    |
| Anderson, S. | Bliss       | Davnie     | Fischer  | Gunther    | Hoppe       |
| Anselmo      | Bly         | Dean, M.   | Flanagan | Haley      | Hornstein   |
| Backer       | Carlson, A. | Dehn, R.   | Franke   | Halverson  | Hortman     |
| Bahr, C.     | Carlson, L. | Dettmer    | Franson  | Hamilton   | Howe        |
| Baker        | Christensen | Draskowski | Freiberg | Hansen     | Jessup      |
| Barr, R.     | Clark       | Ecklund    | Garofalo | Hausman    | Johnson, B. |

|               |            |            |            |            |            |
|---------------|------------|------------|------------|------------|------------|
| Johnson, C.   | Loeffler   | Metsa      | Omar       | Rarick     | Uglen      |
| Jurgens       | Lohmer     | Miller     | O'Neill    | Rosenthal  | Urdahl     |
| Kiel          | Loon       | Moran      | Peppin     | Runbeck    | Vogel      |
| Knoblach      | Loonan     | Munson     | Petersburg | Sauke      | Wagenius   |
| Koegel        | Lucero     | Murphy, M. | Peterson   | Schomacker | Ward       |
| Koznick       | Lueck      | Nash       | Pierson    | Schultz    | West       |
| Kresha        | Mahoney    | Nelson     | Pinto      | Slocum     | Whelan     |
| Kunesh-Podein | Mariani    | Neu        | Poppe      | Smith      | Wills      |
| Layman        | Marquart   | Newberger  | Poston     | Sundin     | Youakim    |
| Lee           | Masin      | Nornes     | Pryor      | Swedzinski | Zerwas     |
| Lesch         | Maye Quade | O'Driscoll | Pugh       | Theis      | Spk. Daudt |
| Lien          | McDonald   | Olson      | Quam       | Torkelson  |            |

The bill was passed and its title agreed to.

S. F. No. 3000, A bill for an act relating to the military; authorizing state active service and pay for armory rentals; amending Minnesota Statutes 2016, section 190.08, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Davnie     | Hamilton      | Lee        | Nelson     | Sauke      |
| Allen        | Dean, M.   | Hansen        | Lesch      | Neu        | Schomacker |
| Anderson, P. | Dehn, R.   | Hausman       | Lien       | Newberger  | Schultz    |
| Anderson, S. | Dettmer    | Heintzeman    | Loeffler   | Nornes     | Slocum     |
| Anselmo      | Drazkowski | Hertaus       | Lohmer     | O'Driscoll | Smith      |
| Backer       | Ecklund    | Hilstrom      | Loon       | Olson      | Sundin     |
| Bahr, C.     | Erickson   | Hoppe         | Loonan     | Omar       | Swedzinski |
| Baker        | Fabian     | Hornstein     | Lucero     | O'Neill    | Theis      |
| Barr, R.     | Fenton     | Hortman       | Lueck      | Peppin     | Torkelson  |
| Becker-Finn  | Fischer    | Howe          | Mahoney    | Petersburg | Uglen      |
| Bennett      | Flanagan   | Jessup        | Mariani    | Peterson   | Urdahl     |
| Bernardy     | Franke     | Johnson, B.   | Marquart   | Pierson    | Vogel      |
| Bliss        | Franson    | Johnson, C.   | Masin      | Pinto      | Wagenius   |
| Bly          | Freiberg   | Jurgens       | Maye Quade | Poppe      | Ward       |
| Carlson, A.  | Garofalo   | Kiel          | McDonald   | Poston     | West       |
| Carlson, L.  | Green      | Knoblach      | Metsa      | Pryor      | Whelan     |
| Christensen  | Grossell   | Koegel        | Miller     | Pugh       | Wills      |
| Clark        | Gruenhagen | Koznick       | Moran      | Quam       | Youakim    |
| Considine    | Gunther    | Kresha        | Munson     | Rarick     | Zerwas     |
| Daniels      | Haley      | Kunesh-Podein | Murphy, M. | Rosenthal  | Spk. Daudt |
| Davids       | Halverson  | Layman        | Nash       | Runbeck    |            |

The bill was passed and its title agreed to.

Considine was excused for the remainder of today's session.

H. F. No. 3660 was reported to the House.

Fenton moved to amend H. F. No. 3660, the second engrossment, as follows:

Page 1, delete section 1 and insert:

"Section 1. **[115B.52] WATER QUALITY AND SUSTAINABILITY ACCOUNT.**

Subdivision 1. **Definitions.** (a) For purposes of this section and section 115B.53, the following terms have the meaning given.

(b) "East metropolitan area" includes but is not limited to, the cities of Woodbury, Oakdale, Lake Elmo, Cottage Grove, St. Paul Park, Afton, and Newport and the townships of West Lakeland and Grey Cloud Island.

(c) "Settlement" means the agreement and order entered on February 20, 2018, settling litigation commenced by the state against the 3M Company under section 115B.17, subdivision 7.

Subd. 2. **Establishment.** The water quality and sustainability account is established as an account in the remediation fund. The account consists of revenue deposited in the account under the terms of the settlement and earnings on the investment of money in the account. Money in the account may be invested through the State Board of Investment.

Subd. 3. **Expenditures.** Money in the account is appropriated to the commissioner of the Pollution Control Agency and to the commissioner of natural resources for the purposes authorized under the settlement.

Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the commissioner of natural resources must jointly submit:

(1) by April 1, 2019, an implementation plan detailing how the commissioners will:

(i) determine how the priorities in the settlement are met and how the spending will move from the first priority, benefiting the east metropolitan area, and the second priority outlined in the settlement; and

(ii) evaluate and determine what projects receive funding;

(2) by March 1 and November 1 each year, a biannual report to the chairs and ranking minority members of the legislative policy and finance committees with jurisdiction over environment and natural resources on expenditures from the water quality and sustainability account during the previous six months; and

(3) by November 1 each year, a report to the legislature on expenditures from the water quality and sustainability account during the previous fiscal year and a spending plan for anticipated expenditures from the account during the current fiscal year.

Subd. 5. **Local approval.** The commissioner of the Pollution Control Agency or commissioner of natural resources must receive approval from the local unit of government prior to assuming control or otherwise operating an existing municipal water supply operation in the east metropolitan area.

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



Jurgens moved to amend the Fenton amendment to H. F. No. 3660, the second engrossment, as follows:

Page 2, after line 13, insert:

"Page 3, after line 18, insert:

"Sec. 5. **TESTING FOR PRIVATE WELLS; EAST METROPOLITAN AREA.**

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

(b) "East metropolitan area" means:

(1) the cities of Afton, Cottage Grove, Lake Elmo, Maplewood, Newport, Oakdale, St. Paul Park, and Woodbury;

(2) the townships of Denmark, Grey Cloud Island, and West Lakeland; and

(3) other areas added by the commissioner that have a potential for significant groundwater pollution from PFCs.

(c) "PFCs" means per- and poly-fluorinated chemicals.

**Subd. 2. Testing for private wells.** To provide results of PFC groundwater monitoring to the public, the commissioner of the Pollution Control Agency must develop a Web page that may include, but is not limited to, the following:

(1) the process for private and public well PFC sampling in the east metropolitan area;

(2) an interactive map system that allows the public to view locations of the Department of Health well advisories and areas projected to be sampled for PFCs; and

(3) how to contact the Pollution Control Agency or Department of Health staff to answer questions on sampling of private wells.

**Subd. 3. Test reporting.** (a) By January 15 each year, the commissioner of the Pollution Control Agency must report to each community in the east metropolitan area a summary of the results of the testing for private wells in the community. The report must include information on the number of wells tested and trends of PFC contamination in private wells in the community. Reports to communities under this section must also be published on the Pollution Control Agency's Web site.

(b) By January 15 each year, the commissioner of the Pollution Control Agency must report to the legislature, as provided in Minnesota Statutes, section 3.195, on the testing for private wells conducted in the east metropolitan area, including copies of the community reports required in paragraph (a), the number of requests for well testing in each community, and the total amount spent for testing private wells in each community."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

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

Speaker pro tempore Garofalo called Albright to the Chair.

The question recurred on the Fenton amendment, as amended, to H. F. No. 3660, the second engrossment. The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 3660, A bill for an act relating to environment; implementing terms of recent settlement between state and 3M Company; appropriating money; amending Minnesota Statutes 2016, section 116.155, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115B.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 108 yeas and 16 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Drazkowski | Heintzeman    | Lien       | Newberger  | Runbeck    |
| Allen        | Ecklund    | Hertaus       | Lohmer     | Nornes     | Sauke      |
| Anderson, P. | Erickson   | Hilstrom      | Loon       | O'Driscoll | Schomacker |
| Anderson, S. | Fabian     | Hoppe         | Loonan     | Olson      | Smith      |
| Anselmo      | Fenton     | Hortman       | Lucero     | Omar       | Sundin     |
| Backer       | Fischer    | Howe          | Lueck      | O'Neill    | Swedzinski |
| Bahr, C.     | Franke     | Jessup        | Mahoney    | Peppin     | Theis      |
| Baker        | Franson    | Johnson, B.   | Mariani    | Petersburg | Torkelson  |
| Barr, R.     | Freiberg   | Johnson, C.   | Marquart   | Peterson   | Uglen      |
| Bennett      | Garofalo   | Jurgens       | Masin      | Pierson    | Urdahl     |
| Bliss        | Green      | Kiel          | Maye Quade | Pinto      | Vogel      |
| Carlson, A.  | Grossell   | Knoblach      | McDonald   | Poppe      | Ward       |
| Carlson, L.  | Gruenhagen | Koegel        | Miller     | Poston     | West       |
| Christensen  | Gunther    | Koznick       | Moran      | Pryor      | Whelan     |
| Daniels      | Haley      | Kresha        | Munson     | Pugh       | Wills      |
| Davids       | Halverson  | Kunesh-Podein | Murphy, M. | Quam       | Youakim    |
| Dean, M.     | Hamilton   | Layman        | Nash       | Rarick     | Zerwas     |
| Dettmer      | Hansen     | Lesch         | Neu        | Rosenthal  | Spk. Daudt |

Those who voted in the negative were:

|             |          |           |          |         |          |
|-------------|----------|-----------|----------|---------|----------|
| Becker-Finn | Clark    | Flanagan  | Lee      | Nelson  | Wagenius |
| Bernardy    | Davnie   | Hausman   | Loeffler | Schultz |          |
| Bly         | Dehn, R. | Hornstein | Metsa    | Slocum  |          |

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

H. F. No. 3421 was reported to the House.

Hansen moved to amend H. F. No. 3421 as follows:

Page 1, after line 16, insert:

"(d) In the summary, the commissioner must provide information on the conservation partners legacy grant program established under section 97A.056, subdivision 3."

Green moved to amend the Hansen amendment to H. F. No. 3421 as follows:

Page 1, before line 2, insert:

"Page 1, after line 5, insert:

"ARTICLE 1  
OUTDOOR HERITAGE FUND

Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

(a) The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the outdoor heritage fund for the fiscal year indicated for each purpose. The figures "2018" and "2019" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019. These are onetime appropriations.

(b) If an appropriation in this act is enacted more than once in the 2018 legislative session, the appropriation must be given effect only once.

| <b><u>APPROPRIATIONS</u></b>         |                    |
|--------------------------------------|--------------------|
| <b><u>Available for the Year</u></b> |                    |
| <b><u>Ending June 30</u></b>         |                    |
| <b><u>2018</u></b>                   | <b><u>2019</u></b> |

Sec. 2. **OUTDOOR HERITAGE FUND**

|  |                     |                             |
|--|---------------------|-----------------------------|
| <b><u>Subdivision 1. Total Appropriation</u></b> | <b><u>\$-0-</u></b> | <b><u>\$113,923,000</u></b> |
|--|---------------------|-----------------------------|

This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.

|                                 |                   |                          |
|---------------------------------|-------------------|--------------------------|
| Subd. 2. <b><u>Prairies</u></b> | <b><u>-0-</u></b> | <b><u>35,288,000</u></b> |
|---------------------------------|-------------------|--------------------------|

**(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase X**

\$2,786,000 the second year is to the commissioner of natural resources to acquire in fee and restore lands for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire lands in fee for scientific and natural areas under Minnesota Statutes, section 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(b) Accelerating Wildlife Management Area Acquisition - Phase X**

\$5,740,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore lands for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(c) Minnesota Prairie Recovery Project - Phase VIII**

\$2,001,000 the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire lands in fee and to restore and enhance native prairies, grasslands, wetlands, and savannas. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. Annual income statements and balance sheets for income and expenses from land acquired with this appropriation must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days after The Nature Conservancy's fiscal year closes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan, and the acquisitions must be consistent with the priorities identified in Minnesota Prairie Conservation Plan.

**(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase IX**

\$1,893,000 the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy, in cooperation with the United States Fish and Wildlife Service, to acquire lands in fee or permanent conservation easements and to restore lands in the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan, and the acquisitions must be consistent with the priorities in Minnesota Prairie Conservation Plan.

**(e) Cannon River Headwaters Habitat Complex - Phase VIII**

\$1,345,000 the second year is to the commissioner of natural resources for an agreement with The Trust for Public Land, in cooperation with Great River Greening, to acquire lands in fee in the Cannon River watershed for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8; to acquire lands in fee for scientific and natural areas under Minnesota Statutes, section 86A.05, subdivision 5; to acquire lands in fee for state forests under Minnesota Statutes, section 86A.05, subdivision 7; and to restore lands in the Cannon River watershed. Of this amount, \$945,000 is to The Trust for Public Land and \$400,000 is to Great River Greening. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions and restorations must be provided as part of the required accomplishment plan.

**(f) Accelerated Native Prairie Bank Protection - Phase VII**

\$1,490,000 the second year is to the commissioner of natural resources to acquire permanent conservation easements to protect and restore native prairie according to Minnesota Prairie Conservation Plan. Of this amount, up to \$176,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

**(g) Reinvest In Minnesota (RIM) Buffers for Wildlife and Water - Phase VIII**

\$5,000,000 the second year is to the Board of Water and Soil Resources to acquire permanent conservation easements and restore habitat under Minnesota Statutes, section 103F.515, to protect, restore, and enhance habitat by expanding the riparian buffer program under the clean water fund for at least equal wildlife benefits from buffers on private land. Of this amount, up to \$745,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley - Phase IV**

\$1,162,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever, in cooperation with the Minnesota Prairie Chicken Society, to acquire lands in fee and restore and enhance lands in the southern Red River valley for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8, or to be designated and managed as waterfowl production areas in Minnesota in cooperation with the United States Fish and Wildlife Service. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(i) Martin County DNR WMA Acquisition - Phase II**

\$2,447,000 the second year is to the commissioner of natural resources for an agreement with Fox Lake Conservation League Inc., in cooperation with Ducks Unlimited and The Conservation Fund, to acquire lands in fee and restore and enhance strategic prairie grassland, wetland, and other wildlife habitat in Martin County for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8. Of this amount, \$1,978,000 is to Fox Lake Conservation League Inc., \$400,000 is to Ducks Unlimited, and \$69,000 is to The Conservation Fund. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(j) Protect and Restore Minnesota's Important Bird Areas - Phase II**

\$829,000 the second year is to the commissioner of natural resources for agreements to acquire conservation easements and enhance wildlife habitat in important bird areas identified in Minnesota Prairie Conservation Plan. Of this amount, \$209,000 is to Audubon Minnesota and \$620,000 is to Minnesota Land Trust. Up to \$120,000 to Minnesota Land Trust is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements and enhancements must be provided as part of the required accomplishment plan.

**(k) Grassland Conservation Partnership - Phase III**

\$1,468,000 the second year is to the commissioner of natural resources for an agreement with The Conservation Fund, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and to restore and enhance high-priority grassland, prairie, and wetland habitats. Of this amount, \$69,000 is to The Conservation Fund and \$1,399,000 is to Minnesota Land Trust. Up to \$72,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquiring lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed acquisitions must be provided as part of the required accomplishment plan, and the acquisitions must be consistent with the priorities in Minnesota Prairie Conservation Plan.

**(l) Accelerating the USFWS Habitat Conservation Easement Program**

\$2,960,000 the second year is to the commissioner of natural resources for an agreement with Ducks Unlimited, in cooperation with Pheasants Forever and the United States Fish and Wildlife Service, to acquire permanent conservation "working land" easements and to restore wetlands and prairie grasslands. Of this amount, \$2,000,000 is to Ducks Unlimited and \$960,000 is to Pheasants Forever. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(m) DNR Grassland Enhancement - Phase X**

\$4,007,000 the second year is to the commissioner of natural resources to accelerate restoration and enhancement of prairies, grasslands, and savannas in wildlife management areas, in scientific and natural areas, on lands in the native prairie bank, in bluff prairies on state forest land in southeastern Minnesota, and in waterfowl production areas and refuge lands of the United States Fish and Wildlife Service. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(n) Enhanced Public-Land Grasslands - Phase III**

\$2,160,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to enhance and restore grassland and wetland habitat on public lands. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**Subd. 3. Forests**

-0-

9,131,000**(a) Camp Ripley Partnership - Phase VII**

\$1,229,000 the second year is to the Board of Water and Soil Resources, in cooperation with the Morrison County Soil and Water Conservation District and The Conservation Fund, to acquire permanent conservation easements and restore forest wildlife habitat within the boundaries of the Minnesota National Guard Camp Ripley Sentinel Landscape and Army Compatible Use Buffer. Of this amount, \$39,000 is to the Morrison County Soil and Water Conservation District, \$207,000 is to The Conservation Fund, and \$983,000 is to the Board of Water and Soil Resources. Up to \$45,500 to the Board of Water and Soil Resources is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(b) Southeast Minnesota Protection and Restoration - Phase VI**

\$2,142,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8; to acquire lands in fee for scientific and natural areas under Minnesota Statutes, section 86A.05, subdivision 5; to acquire lands in fee for state forests under Minnesota Statutes, section 86A.05, subdivision 7; to acquire permanent conservation easements; and to restore and enhance prairies, grasslands, forests, and savannas. Of this amount, \$742,000 is to The Nature Conservancy, \$700,000 is to The Trust for Public Land, and \$700,000 is to Minnesota Land Trust. Up to \$120,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Annual income statements and balance sheets for income and expenses from land acquired with this appropriation must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days after The Nature Conservancy's fiscal year closes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(c) Minnesota Forests for the Future - Phase VI**

\$1,473,000 the second year is to the commissioner of natural resources to acquire lands in fee and to acquire easements for forest, wetland, and shoreline habitat through working forest permanent conservation easements under the Minnesota forests for the future program according to Minnesota Statutes, section 84.66. A conservation easement acquired with money appropriated under



this paragraph must comply with Minnesota Statutes, section 97A.056, subdivision 13. The accomplishment plan must include an easement monitoring and enforcement plan. Of this amount, up to \$25,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions must be provided as part of the required accomplishment plan. A list of permanent conservation easements must be provided as part of the final report.

**(d) State Forest Acquisitions, Richard J. Dorer Memorial Forest - Phase V**

\$1,255,000 the second year is to the commissioner of natural resources to acquire in fee and enhance lands for wildlife habitat in the Richard J. Dorer Memorial Hardwood State Forest under Minnesota Statutes, section 86A.05, subdivision 7. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(e) Critical Shoreland Protection Program - Phase V**

\$1,094,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements along rivers and lakes in the northern forest region. Of this amount, up to \$120,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements must be provided as part of the required accomplishment plan.

**(f) Minnesota Moose Habitat Collaborative - Phase III**

\$1,938,000 the second year is to the commissioner of natural resources for an agreement with the Minnesota Deer Hunters Association to restore and enhance public forest lands in the northern forest region for moose habitat. A list of proposed land restoration and enhancements must be provided as part of the required accomplishment plan.

Subd. 4. **Wetlands**

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28,116,000

**(a) Accelerating the Waterfowl Production Area Acquisition - Phase X**

\$5,061,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire lands in fee and to restore and enhance wetlands and grasslands to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(b) Shallow Lake and Wetland Protection Program - Phase VII**

\$4,770,000 the second year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire lands in fee and to restore and enhance prairie lands, wetlands, and land buffering shallow lakes for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(c) RIM Wetlands Partnership - Phase IX**

\$10,000,000 the second year is to the Board of Water and Soil Resources to acquire permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to \$292,500 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(d) Wetland Habitat Protection Program - Phase III**

\$1,786,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance prairie, wetland, and other habitat in high-priority wetland habitat complexes in the prairie and forest/prairie transition regions. Of this amount, up to \$240,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(e) Accelerated Shallow Lakes and Wetlands Enhancement - Phase X**

\$2,759,000 the second year is to the commissioner of natural resources to enhance and restore shallow lakes and wetland habitat statewide. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(f) Living Shallow Lakes and Wetland Initiative - Phase VII**

\$3,740,000 the second year is to the commissioner of natural resources for an agreement with Ducks Unlimited to restore and enhance shallow lakes and wetlands on public lands and wetlands under permanent conservation easement for wildlife management. A list of proposed shallow lake enhancements and wetland restorations must be provided as part of the required accomplishment plan.

**Subd. 5. Habitats**

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40,978,000**(a) Metro Big Rivers - Phase VIII**

\$2,630,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers in the metropolitan area. Of this amount, \$500,000 is to Minnesota Valley National Wildlife Refuge Trust Inc., \$300,000 is to Friends of the Mississippi River, \$700,000 is to Great River Greening, and \$1,130,000 is to Minnesota Land Trust. Up to \$120,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(b) Mississippi Headwaters Habitat Corridor Partnership - Phase IV**

\$2,073,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and restore wildlife habitat in the Mississippi headwaters. Of this amount, \$73,000 is to the Mississippi Headwaters Board and \$2,000,000 is to The Trust for Public Land. \$925,000 the second year is to the Board of Water and Soil Resources to acquire lands in permanent conservation easements and to restore wildlife habitat, of which up to \$65,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(c) Fisheries Habitat Protection on Strategic North Central Minnesota Lakes - Phase IV**

\$2,801,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements to sustain healthy fish habitat on coldwater lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties. Of this amount, \$1,005,000 is to the Leech Lake Area Watershed Foundation and \$1,796,000 is to Minnesota Land Trust. Up to \$120,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of acquisitions must be provided as part of the required accomplishment plan.

**(d) DNR Trout Stream Conservation Easements**

\$642,000 the second year is to the commissioner of natural resources to acquire land in permanent conservation easements to protect trout stream aquatic habitat. Up to \$52,500 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the required accomplishment plan.

**(e) Metro Wildlife Management Areas**

\$1,174,000 the second year is to the commissioner of natural resources for an agreement with The Conservation Fund to acquire lands in fee in the metro area planning region for wildlife management under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(f) Dakota County Habitat Protection/Restoration - Phase VI**

\$2,288,000 the second year is to the commissioner of natural resources for an agreement with Dakota County to acquire permanent conservation easements and lands in fee and to restore and enhance riparian and other habitats in Dakota County. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(g) Hennepin County Habitat Conservation Program**

\$1,514,000 the second year is to the commissioner of natural resources for an agreement with Hennepin County, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and to restore and enhance habitats in Hennepin County. Of this amount, \$194,000 is to Hennepin County and \$1,320,000 is to Minnesota Land Trust. Up to \$192,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements and restorations and enhancements must be provided as part of the required accomplishment plan.

**(h) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase X**

\$2,291,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to acquire permanent conservation stream easements using the payment method prescribed in Minnesota Statutes, section

84.0272, subdivision 2, and to restore and enhance habitat for trout and other species in and along coldwater rivers, lakes, and streams in Minnesota. Up to \$20,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(i) Lower Mississippi River Habitat Partnership - Phase IV**

\$1,555,000 the second year is to the commissioner of natural resources to restore and enhance aquatic and forest habitats in the lower Mississippi River watershed, upper Pool 9 backwater. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(j) St. Louis River Restoration Initiative - Phase V**

\$2,013,000 the second year is to the commissioner of natural resources to restore aquatic habitats in the St. Louis River estuary. Of this appropriation, up to \$1,350,000 is for an agreement with Minnesota Land Trust. A list of proposed restorations must be provided as part of the required accomplishment plan.

**(k) Knife River Habitat Rehabilitation - Phase III**

\$927,000 the second year is to the commissioner of natural resources for an agreement with Zeitgeist, in cooperation with the Lake Superior Steelhead Association, to enhance trout habitat in the Knife River watershed. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(l) Shell Rock River Watershed Habitat Restoration Program - Phase VII**

\$1,421,000 the second year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire lands in fee and to restore and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(m) Lake George Dam and Rum River Erosion**

\$539,000 the second year is to the commissioner of natural resources for an agreement with Anoka County to enhance aquatic habitat in and adjacent to Lake George in Anoka County and to restore and enhance aquatic habitat on the Rum River. A list of proposed habitat enhancements and restorations must be provided as part of the required accomplishment plan.

**(n) Buffalo River Watershed Stream Habitat Program**

\$1,195,000 the second year is to the commissioner of natural resources for an agreement with the Buffalo-Red River Watershed District to restore and enhance aquatic and upland habitat associated with the south branch of the Buffalo River and Whisky Creek in the Buffalo River watershed. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(o) Two Rivers Fish Passage Restoration and Habitat Enhancement**

\$2,000,000 the second year is to the commissioner of natural resources for an agreement with the city of Hallock to restore and enhance fish passage and habitat in the South Branch Two Rivers. A list of proposed restorations must be provided as part of the required accomplishment plan.

**(p) Six Mile Creek – Halsted Bay Habitat Restoration**

\$567,000 the second year is to the commissioner of natural resources for an agreement with the Minnehaha Creek Watershed District to restore and enhance fish habitat in the Six Mile Creek - Halsted Bay subwatershed. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

**(q) DNR Aquatic Habitat Restoration and Enhancement**

\$2,834,000 the second year is to the commissioner of natural resources to restore and enhance aquatic habitat in degraded streams and aquatic management areas and to facilitate fish passage. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(r) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat - Phase X**

\$11,589,000 the second year is to the commissioner of natural resources for a program to provide competitive matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, up to \$2,567,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants must not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants must not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of the total appropriation, \$536,000 may be spent for personnel costs and other direct and

necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner must provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources must, when evaluating projects of equal value, give priority to organizations that have a history of receiving, or a charter to receive, private contributions for local conservation or habitat projects. If acquiring land in fee or a conservation easement, priority must be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement or by public ownership, or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2022. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner must provide notice of the grant program in the summary of game and fish law prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Subd. 6. **Administration**

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410,000

**(a) Contract Management**

\$210,000 the second year is to the commissioner of natural resources for contract management duties assigned in this section. The commissioner must provide an accomplishment plan in the form specified by the Lessard-Sams Outdoor Heritage Council on expending this appropriation. The accomplishment plan must include a copy of the grant contract template and reimbursement manual. No money may be expended before the Lessard-Sams Outdoor Heritage Council approves the accomplishment plan.

**(b) Technical Evaluation Panel**

\$150,000 the second year is to the commissioner of natural resources for a technical evaluation panel to conduct up to 25 restoration and enhancement evaluations under Minnesota Statutes, section 97A.056, subdivision 10.

**(c) High-Priority Pretransaction Service Acceleration for Lessard-Sams Outdoor Heritage Council**

\$50,000 the second year is to the commissioner of natural resources to provide land-acquisition pretransaction services including but not limited to appraisals, surveys, or title research for acquisition proposals being considered by the Lessard-Sams Outdoor Heritage Council. A list of activities must be included in the final accomplishment plan.

**Subd. 7. Availability of Appropriation**

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Unless otherwise provided, the amounts in this section are available until June 30, 2021. For acquisition of real property, the amounts in this section are available until June 30, 2022, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2021, and closed no later than June 30, 2022. Funds for restoration or enhancement are available until June 30, 2023, or five years after acquisition, whichever is later, in order to complete initial restoration or enhancement work. If a project receives at least 15 percent of its funding from federal funds, the time of the appropriation may be extended to equal the availability of federal funding to a maximum of six years if that federal funding was confirmed and included in the second draft accomplishment plan. Funds appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

**Subd. 8. Payment Conditions and Capital Equipment Expenditures**

All agreements referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures directly related to each appropriation's purpose made on or after July 1, 2018, or the date of accomplishment plan approval,



whichever is later, are eligible for reimbursement unless otherwise provided in this section. For the purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund, an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice, or a binding agreement with the landowner, and the recipient attests that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items over \$10,000 must be itemized in and approved as part of the accomplishment plan.

**Subd. 9. Mapping**

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must provide geographic information to the Lessard-Sams Outdoor Heritage Council for mapping of any lands acquired in fee with funds appropriated in this section and open to public taking of fish and game. The commissioner of natural resources must include the lands acquired in fee with money appropriated in this section on maps showing public recreational opportunities. Maps must include information on and acknowledgment of the outdoor heritage fund, including a notation of any restrictions.

**Subd. 10. Carryforwards**

(a) The availability of the appropriation in Laws 2014, chapter 256, article 1, section 2, subdivision 5, paragraph (e), for Mustinka River Fish and Wildlife Habitat Corridor Rehabilitation is extended to June 30, 2022.

(b) The availability of the appropriation in Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, paragraph (j), for Wild Rice River Corridor Habitat Restoration is extended to June 30, 2021.

(c) This subdivision is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2016, section 97A.056, subdivision 3, is amended to read:

Subd. 3. **Council recommendations.** (a) The council shall make recommendations to the legislature on appropriations of money from the outdoor heritage fund that are consistent with the Constitution and state law and that will achieve the outcomes of existing natural resource plans, including, but not limited to, the Minnesota

Statewide Conservation and Preservation Plan, that directly relate to the restoration, protection, and enhancement of wetlands, prairies, forests, and habitat for fish, game, and wildlife, and that prevent forest fragmentation, encourage forest consolidation, and expand restored native prairie. In making recommendations, the council shall consider a range of options that would best restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife. The council's recommendations shall be submitted no later than January 15 each year. The council shall present its recommendations to the senate and house of representatives committees with jurisdiction over the environment and natural resources budget by February 15 in odd-numbered years, and within the first four weeks of the legislative session in even-numbered years. The council's budget recommendations to the legislature shall be separate from the Department of Natural Resource's budget recommendations.

(b) To encourage and support local conservation efforts, the council shall establish a conservation partners program. Local, regional, state, or national organizations may apply for matching grants for restoration, protection, and enhancement of wetlands, prairies, forests, and habitat for fish, game, and wildlife, prevention of forest fragmentation, encouragement of forest consolidation, and expansion of restored native prairie.

(c) The council may work with the Clean Water Council to identify projects that are consistent with both the purpose of the outdoor heritage fund and the purpose of the clean water fund.

(d) The council may make recommendations to the Legislative-Citizen Commission on Minnesota Resources on scientific research that will assist in restoring, protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife, preventing forest fragmentation, encouraging forest consolidation, and expanding restored native prairie.

(e) Recommendations of the council, including approval of recommendations for the outdoor heritage fund, require an affirmative vote of at least nine members of the council.

(f) The council may work with the Clean Water Council, the Legislative-Citizen Commission on Minnesota Resources, the Board of Water and Soil Resources, soil and water conservation districts, and experts from Minnesota State Colleges and Universities and the University of Minnesota in developing the council's recommendations.

(g) The council shall develop and implement a process that ensures that citizens and potential recipients of funds are included throughout the process, including the development and finalization of the council's recommendations. The process must include a fair, equitable, and thorough process for reviewing requests for funding and a clear and easily understood process for ranking projects.

(h) The council shall use the regions of the state based upon the ecological sections and subsections developed by the Department of Natural Resources and establish objectives for each region and subregion to achieve the purposes of the fund outlined in the state constitution.

(i) The council shall develop and submit to the Legislative Coordinating Commission plans for the first ten years of funding, and a framework for 25 years of funding, consistent with statutory and constitutional requirements. The council may use existing plans from other legislative, state, and federal sources, as applicable.

(j) By July 1 each year, the council shall provide counties with a list of project proposals that include potential fee title land acquisitions in the county that is based on that year's funding requests received by the council from nongovernmental organizations.

Sec. 4. Minnesota Statutes 2016, section 97A.056, subdivision 13, is amended to read:

Subd. 13. **Project requirements.** (a) As a condition of accepting money appropriated from the outdoor heritage fund, an agency or entity receiving money from an appropriation must comply with this subdivision for any project funded in whole or in part with funds from the appropriation.

(b) All conservation easements acquired with money appropriated from the outdoor heritage fund must:

(1) be permanent;

(2) specify the parties to the easement;

(3) specify all of the provisions of an agreement that are permanent;

(4) specify the habitat types and location being protected;

(5) where appropriate for conservation or water protection outcomes, require the grantor to employ practices retaining water on the eased land as long as practicable;

(6) specify the responsibilities of the parties for habitat enhancement and restoration and the associated costs of these activities;

(7) be sent to the office of the Lessard-Sams Outdoor Heritage Council;

(8) include a long-term stewardship plan and identify the sources and amount of funding for monitoring and enforcing the easement agreement; and

(9) identify the parties responsible for monitoring and enforcing the easement agreement.

(c) For all restorations, a recipient must prepare and retain an ecological restoration and management plan that, to the degree practicable, is consistent with current conservation science and ecological goals for the restoration site. Consideration should be given to soil, geology, topography, and other relevant factors that would provide the best chance for long-term success and durability of the restoration. The plan must include the proposed timetable for implementing the restoration, including, but not limited to, site preparation, establishment of diverse plant species, maintenance, and additional enhancement to establish the restoration; identify long-term maintenance and management needs of the restoration and how the maintenance, management, and enhancement will be financed; and use current conservation science to achieve the best restoration.

(d) For new lands acquired, a recipient must prepare a restoration and management plan in compliance with paragraph (c), including identification of sufficient funding for implementation.

(e) To ensure public accountability for the use of public funds, a recipient must provide to the Lessard-Sams Outdoor Heritage Council documentation of the process used to select parcels acquired in fee or as permanent conservation easements and must provide the council with documentation of all related transaction costs, including, but not limited to, appraisals, legal fees, recording fees, commissions, other similar costs, and donations. This information must be provided for all parties involved in the transaction. The recipient must also report to the Lessard-Sams Outdoor Heritage Council any difference between the acquisition amount paid to the seller and the state-certified or state-reviewed appraisal, if a state-certified or state-reviewed appraisal was conducted. The commissioner of natural resources may conduct or require additional appraisals of parcels to be acquired in fee title or as conservation easements. Acquisition data such as appraisals may remain private during negotiations but must ultimately be made public according to chapter 13.

(f) Except as otherwise provided in the appropriation, all restoration and enhancement projects funded with money appropriated from the outdoor heritage fund must be on land permanently protected by a conservation easement or public ownership or in public waters as defined in section 103G.005, subdivision 15.

(g) To the extent an appropriation is used to acquire an interest in real property, a recipient of an appropriation from the outdoor heritage fund must provide to the Lessard-Sams Outdoor Heritage Council and the commissioner of management and budget an analysis of increased operation and maintenance costs likely to be incurred by public entities as a result of the acquisition and of how the costs are to be paid.

(h) A recipient of money appropriated from the outdoor heritage fund must give consideration to and make timely written contact with Conservation Corps Minnesota for possible use of the corps' services to contract for restoration and enhancement services. A copy of the written contact must be filed with the Lessard-Sams Outdoor Heritage Council within 15 days of execution.

(i) A recipient of money appropriated from the outdoor heritage fund must erect signage according to Laws 2009, chapter 172, article 5, section 10.

(j) At least 30 days before closing on an acquisition of land in fee title with money in whole or in part from the outdoor heritage fund, a nongovernmental organization must notify in writing the county board and town board where the land is located and furnish them a description of the land to be acquired."

Page 1, after line 4, insert:

"Page 2, after line 12, insert:

"ARTICLE 2  
CLEAN WATER FUND

Section 1. **CLEAN WATER FUND APPROPRIATIONS.**

Subdivision 1. **Department of Agriculture.** \$500,000 in fiscal year 2018 is appropriated from the clean water fund to the commissioner of agriculture for grants to the Board of Regents of the University of Minnesota to fund the Forever Green Agriculture Initiative and to protect the state's natural resources while increasing the efficiency, profitability, and productivity of Minnesota farmers by incorporating perennial and winter-annual crops into existing agricultural practices. This is a onetime appropriation and is available until June 30, 2022.

Subd. 2. **Public Facilities Authority.** \$1,250,000 in fiscal year 2018 is appropriated from the clean water fund to the Public Facilities Authority for the point source implementation grants program under Minnesota Statutes, section 446A.073. This is a onetime appropriation and is available until June 30, 2022.

Subd. 3. **Pollution Control Agency.** \$10,000 in fiscal year 2019 is appropriated from the clean water fund to the commissioner of the Pollution Control Agency to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1. This is a onetime appropriation.

Subd. 4. **Department of Natural Resources.** \$1,000,000 in fiscal year 2018 is appropriated from the clean water fund to the commissioner of natural resources to acquire permanent conservation easements in targeted areas to protect the forests and shorelands that supply clean water to lakes, rivers, and streams under Minnesota Statutes, section 84.66. This is a onetime appropriation and is available until June 30, 2022.

Subd. 5. **Board of Water and Soil Resources.** (a) \$3,671,000 in fiscal year 2018 and \$629,000 in fiscal year 2019 are appropriated from the clean water fund to the Board of Water and Soil Resources for a pilot program to provide performance-based grants to local government units. The grants may be used to implement projects that

protect, enhance, and restore surface water quality in lakes, rivers, and streams; protect groundwater from degradation; and protect drinking water sources. Projects must be identified in a comprehensive watershed plan developed under the One Watershed, One Plan or metropolitan surface water management frameworks or groundwater plans. Grant recipients must identify a nonstate match and may use other legacy funds to supplement projects funded under this paragraph.

(b) \$3,500,000 in fiscal year 2018 is appropriated from the clean water fund to the Board of Water and Soil Resources for grants to protect and restore drinking water sources. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, and include a match. Projects must be consistent with wellhead protection, protection plans for surface water intake, strategies for groundwater restoration and protection, or local water management plans or their equivalents or develop protection plans for surface water intakes. A portion of these funds may be used to seek administrative efficiencies through shared resources by multiple local government units.

(c) \$10,000,000 in fiscal year 2018 is appropriated from the clean water fund to the Board of Water and Soil Resources to purchase and restore permanent conservation sites via easements or contracts to treat and store water on the land for water quality improvement purposes and related technical assistance. This work may be done in cooperation with the United States Department of Agriculture with a first priority use to accomplish a conservation reserve enhancement program, or equivalent, in the state. Up to \$1,080,000 is for deposit in a monitoring and enforcement account.

(d) \$5,000,000 in fiscal year 2018 is appropriated from the clean water fund to the Board of Water and Soil Resources for grants to soil and water conservation districts for cost-sharing contracts with landowners or authorized agents to implement riparian buffers or alternative practices on public waters or public ditches consistent with Minnesota Statutes, section 103F.48. Of this amount, up to \$2,500,000 may be targeted outside the 54-county Conservation Reserve Enhancement Area.

(e) \$500,000 in fiscal year 2018 is appropriated from the clean water fund to the Board of Water and Soil Resources to provide support to the University of Minnesota Water Resources Center and partners to further develop and expand the use of the existing Irrigation Management Assistance tool and implement an outreach and education program that supports the tool in consultation with the University of Minnesota Extension Service. The Water Resources Center must explore supplemental funding opportunities with the United States Department of Agriculture to further this activity. The Board of Water and Soil Resources must approve a spending plan before making money available.

(f) The board may shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.

(g) The board shall require grantees to specify the outcomes that will be achieved by the grants before any grant awards.

(h) The appropriations in this subdivision are onetime and available until June 30, 2022. Returned grant funds must be regranted consistent with the purposes of this subdivision.

Subd. 6. **University of Minnesota.** \$343,000 in fiscal year 2018 is appropriated from the clean water fund to the Board of Regents of the University of Minnesota to provide guidance documents and tools evaluating the clean water fund's return on investment to measure impacts on water quality and human well-being as well as assist in future funding decisions. This is a onetime appropriation and is available until June 30, 2022.

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

ARTICLE 3  
ARTS AND CULTURAL HERITAGE FUND

Section 1. Minnesota Statutes 2016, section 15B.32, as amended by Laws 2017, First Special Session chapter 8, article 2, section 1, is amended to read:

**15B.32 STATE CAPITOL PRESERVATION COMMISSION.**

Subdivision 1. **Definitions.** (a) As used in this section and section 15B.36, the terms defined in this subdivision have the following meanings.

(b) "Commission" means the State Capitol Preservation Commission created under this section.

(c) "Capitol Area" means the geographic area defined in section 15B.02.

(d) "Board" means the Capitol Area Architectural and Planning Board created under section 15B.03.

(e) "Predesign" has the meaning given in section 16B.335, subdivision 3, paragraph (a).

Subd. 2. **Membership.** The State Capitol Preservation Commission consists of ~~22~~ 24 members, appointed as follows:

(1) the governor;

(2) the lieutenant governor;

(3) the attorney general;

(4) the chief justice of the Supreme Court, or the chief justice's designee, who shall be a member of the Supreme Court;

(5) the majority leader of the senate or the majority leader's designee, who shall be a member of the senate;

(6) the minority leader of the senate or the minority leader's designee, who shall be a member of the senate;

(7) the speaker of the house or the speaker's designee, who shall be a member of the house of representatives;

(8) the minority leader of the house of representatives or the minority leader's designee, who shall be a member of the house of representatives;

~~(9)~~ (9) two members of the senate, including one member from the majority party appointed by the majority leader and one member from the minority party appointed by the minority leader;

~~(8)~~ (10) two members of the house of representatives, including one member appointed by the speaker of the house and one member from the minority party appointed by the minority leader;

~~(9)~~ (11) the chair and ranking minority member of the house of representatives committee with jurisdiction over capital investment and the chair and ranking minority member of the senate committee with jurisdiction over capital investment;

~~(40)~~ (12) the commissioner of administration or the commissioner's designee;

- ~~(11)~~ (13) the commissioner of public safety or the commissioner's designee;
- ~~(12)~~ (14) the executive director of the Minnesota Historical Society or the executive director's designee;
- ~~(13)~~ (15) the executive secretary of the Capitol Area Architectural and Planning Board; and
- ~~(14)~~ (16) four public members appointed by the governor.

Subd. 3. **Terms and compensation.** (a) A member serving on the commission because the member or the appointing authority for the member holds an elected or appointed office shall serve on the commission as long as the member or the appointing authority holds the office.

(b) Public members of the commission shall serve two-year terms. The public members may not serve for more than three consecutive terms.

(c) The removal of members and filling of vacancies on the commission are as provided in section 15.059. ~~Public members may receive compensation and expenses as provided under section 15.059, subdivision 3.~~

Subd. 4. **Officers and meetings.** (a) The governor is the chair of the commission. The lieutenant governor is the vice-chair of the commission and may act as the chair of the commission in the absence of the governor. The governor may designate a staff member to attend commission meetings and vote on the governor's behalf in the absence of the governor.

(b) The commission shall meet at least annually and at other times at the call of the chair. Meetings of the commission are subject to chapter 13D.

Subd. 5. **Administrative support.** ~~The commission may designate an executive secretary and obtain administrative support through a contract with a state agency or other means. The commissioner of administration shall provide administrative support to the commission.~~

Subd. 6. **Duties.** (a) The commission:

(1) shall exercise ongoing coordination of the ~~restoration~~, protection, risk management, and preservation of the Capitol building;

(2) shall consult with and advise the commissioner of administration, the board, and the Minnesota Historical Society regarding their applicable statutory responsibilities for and in the Capitol building;

~~(3) may assist in the selection of an architectural firm to assist in the preparation of the predesign plan for the restoration of the Capitol building;~~

~~(4)~~ (3) shall develop a comprehensive, multiyear, ~~pre-design~~ maintenance and preservation plan for the ~~restoration of the~~ Capitol building, review the plan periodically, and, as appropriate, amend and modify the plan. The ~~pre-design~~ plan shall ~~identify appropriate and required functions of the Capitol building; identify and address space requirements for legislative, executive, and judicial branch functions; and identify and address the long-term maintenance and preservation requirements of the Capitol building.~~ In developing the pre-design plan, the commission shall take into account the comprehensive plan for the Minnesota State Capitol Area, as amended in 2010, the rules governing zoning and design for the Capitol Area, citizen access, information technology needs, energy efficiency, security, educational programs including public and school tours, and any additional space needs for the efficient operation of state government and shall take into account the recommendations of the long-range strategic plan under section 16B.24;

~~(5)~~ (4) shall develop and implement a plan to ~~reopen the~~ ensure a welcoming and accessible Minnesota State Capitol ~~and reintroduce it to the citizens of Minnesota~~ for all Minnesotans and visitors;

~~(6)~~ (5) shall develop and implement a comprehensive financial plan to fund the ongoing preservation ~~and restoration~~ of the Capitol building;

~~(7)~~ (6) shall provide annual reports about the condition of the Capitol building and its needs, as well as all activities related to the ~~restoration~~ preservation of the Capitol building; ~~and~~

~~(8)~~ (7) may solicit gifts, grants, or donations of any kind from any private or public source to carry out the purposes of this section. For purposes of this section, the commissioner of administration may expend money appropriated by the legislature for these purposes in the same manner as private persons, firms, corporations, and associations make expenditures for these purposes. All gifts, grants, or donations received by the commission shall be deposited in a State Capitol preservation account established in the special revenue fund. Money in the account is appropriated to the commissioner of administration for the activities of clause (5), the commission, and implementation of the predesign plan under this section. ~~The gift acceptance procedures under sections 16A.013 to 16A.016 do not apply to this clause.~~ Appropriations under this clause do not cancel and are available until expended; and

(8) shall approve a program of art exhibits to encourage public visits to the Capitol and to be displayed in a space in the Capitol building that is listed in section 15B.36, subdivision 1, before an exhibit that is part of the program can be displayed for two weeks or longer. When considering recommendations made under section 15B.36, the commission must approve or reject recommended exhibits as a whole and may not approve or reject individual pieces within a recommended exhibit. The approved program must address the proposed schedule, how it addresses adopted themes for art in the Capitol, and the type or types of artwork.

(b) By January 15 of each year, the commission shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over ~~the commission~~ state government operations, capital investment, finance, ways and means, and legacy finance regarding the ~~activities and efforts of the commission in the preceding calendar year~~ maintenance and preservation needs of the Capitol building, including recommendations adopted by the commission, the comprehensive financial plan required under paragraph (a), clause (6), and any proposed draft legislation necessary to implement the recommendations of the commission.

## Sec. 2. [15B.36] CAPITOL ART EXHIBIT ADVISORY COMMITTEE.

Subdivision 1. Application. This section applies to art exhibits in the following spaces within the State Capitol: third floor east wing, the egress lobbies added as part of the Capitol restoration completed in 2017, the tunnels connecting legislative office buildings to the Capitol, room 104A of the Capitol, and the entire Capitol basement, excluding the historic Rathskeller, Governor's Dining Room, and Justices' Dining Room. The speaker of the house, president of the senate, and chief justice of the Minnesota Supreme Court may request the advisory committee to provide recommendations on art in their respective hearing rooms and other tenant spaces.

Subd. 2. Creation, duties. (a) The Capitol Art Exhibit Advisory Committee is established to advise and make recommendations to the State Capitol Preservation Commission regarding art exhibits to be displayed in State Capitol spaces listed in subdivision 1. To develop these recommendations, the committee shall:

(1) receive proposals from a broad diversity of Minnesota artists, art organizations, and other individuals and evaluate the extent to which proposals meet the criteria in paragraph (b); and



(2) prepare a list of recommended art exhibits for consideration by the commission, including information on the availability of the exhibits, a summary of how the recommended exhibits meet the criteria in paragraph (b) and reflect Minnesota history not covered by previous art exhibits, and the estimated costs and logistical needs for recommended exhibits.

(b) Art exhibits displayed in the State Capitol should tell Minnesota stories and engage people to:

(1) reflect on Minnesota history;

(2) understand Minnesota government;

(3) recognize the contributions of Minnesota's diverse peoples;

(4) inspire citizen engagement; and

(5) appreciate the varied landscapes of Minnesota.

(c) The commissioner of administration shall provide administrative support and curatorial services to the advisory committee and shall implement display of the art exhibits approved by the commission under section 15B.32, subdivision 6, paragraph (a), clause (8).

(d) A preference shall be given for recommended art exhibits for artists currently living in Minnesota or living in Minnesota at the time portrayed. The selection process should ensure that a wide range of artists have a chance to be considered and that, over time, the art reflects the contributions of artists of various demographic backgrounds, including age, disability, gender, and racial and ethnic identity.

**Subd. 3. Membership.** (a) The advisory committee consists of members of the public appointed as follows:

(1) five appointed by the governor;

(2) two appointed by the majority leader of the senate and two appointed by the minority leader of the senate; and

(3) two appointed by the speaker of the house and two appointed by the minority leader of the house of representatives.

(b) To the extent practicable, the appointing authorities shall appoint individuals with knowledge or experience in art, Minnesota history, or Native American history, so that the advisory committee reflects the demographic and geographic diversity of the state. The public members appointed by the governor must be appointed using the public appointments process under section 15.0597.

(c) The State Arts Board, the Minnesota Historical Society, the Capitol Area Architectural and Planning Board, and the commissioner of administration shall each appoint one individual to serve ex-officio on the advisory committee as a nonvoting member.

(d) The advisory committee may meet as frequently as needed to complete its work and shall annually, or when requested by the commissioner, provide the commission with a list of recommended exhibits of works of art by Minnesota artists for possible display in the State Capitol.

**Subd. 4. Terms; removal; vacancies; compensation.** Except as otherwise provided in this section, terms, removal, vacancies, and compensation are as provided in section 15.059. Terms of advisory committee members begin the first Tuesday after the first Monday in January and are for four years.

Subd. 5. **Chair.** The committee shall elect a chair from among its members. The committee may elect other officers as it deems necessary.

Subd. 6. **Open meetings.** Committee meetings are subject to chapter 13D.

Subd. 7. **Conflict of interest.** A member of the committee may not participate in the discussion of or vote on a decision of the committee relating to an organization in which the member has either a direct or indirect financial interest.

Subd. 8. **Gifts; grants; donations.** The committee may accept gifts and grants, which are accepted on behalf of the state and constitute donations to the state. Funds received under this paragraph are appropriated to the commissioner of administration for purposes of the committee.

Sec. 3. Minnesota Statutes 2016, section 129D.17, subdivision 2, is amended to read:

Subd. 2. **Expenditures; accountability.** (a) Funding from the arts and cultural heritage fund may be spent only for arts, arts education, and arts access, and to preserve Minnesota's history and cultural heritage. A project or program receiving funding from the arts and cultural heritage fund must include measurable outcomes, and a plan for measuring and evaluating the results. A project or program must be consistent with current scholarship, or best practices, when appropriate and must incorporate state-of-the-art technology when appropriate.

(b) Funding from the arts and cultural heritage fund may be granted for an entire project or for part of a project so long as the recipient provides a description and cost for the entire project and can demonstrate that it has adequate resources to ensure that the entire project will be completed.

(c) Money from the arts and cultural heritage fund shall be expended for benefits across all regions and residents of the state.

(d) A state agency or other recipient of a direct appropriation from the arts and cultural heritage fund must compile and submit all information for funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the Web site required under section 3.303, subdivision 10, as soon as it becomes available.

(e) Grants funded by the arts and cultural heritage fund must be implemented according to section 16B.98 and must account for all expenditures of funds. Priority for grant proposals must be given to proposals involving grants that will be competitively awarded.

(f) Individual recipients of arts and cultural heritage funds must be residents of Minnesota. All money from the arts and cultural heritage fund must be for projects located in Minnesota. Recipients of funding from the arts and cultural heritage fund must complete the project in Minnesota. If a grant recipient is no longer able to complete the project in Minnesota, the grant recipient must return any remaining grant funds to the state.

(g) When practicable, a direct recipient of an appropriation from the arts and cultural heritage fund shall prominently display on the recipient's Web site home page the legacy logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the Web site must direct the person to a Web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission Web site required under section 3.303, subdivision 10.

(h) Future eligibility for money from the arts and cultural heritage fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of money from the arts and cultural heritage fund has not complied with the laws, rules, or regulations in this section or other laws applicable to the recipient, the recipient must be listed in an annual report to the legislative committees with jurisdiction over the legacy funds. The list must be publicly available. The legislative auditor shall remove a recipient from the list upon determination that the recipient is in compliance. A recipient on the list is not eligible for future funding from the arts and cultural heritage fund until the recipient demonstrates compliance to the legislative auditor.

(i) Any state agency or organization requesting a direct appropriation from the arts and cultural heritage fund must inform the house of representatives and senate committees having jurisdiction over the arts and cultural heritage fund, at the time the request for funding is made, whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

Sec. 4. Minnesota Statutes 2016, section 129D.17, is amended by adding a subdivision to read:

Subd. 6. **Prohibited activities.** Funding from the arts and cultural heritage fund must not be used for projects that promote domestic terrorism or criminal activities.

Sec. 5. **WOMEN'S SUFFRAGE 100TH ANNIVERSARY COMMEMORATION COMMISSION.**

Subdivision 1. **Establishment.** The Women's Suffrage 100th Anniversary Commemoration Commission is established to commemorate the ratification of the 19th Amendment to the United States Constitution and to celebrate the role of Minnesotans and the state in this national and international milestone.

Subd. 2. **Duties.** The commission must coordinate a statewide commemoration of the 100th anniversary of the ratification of the 19th Amendment. The commemoration must include a series of events that provide opportunities for Minnesotans in all geographic regions of the state to learn the history of the women's suffrage movement, with a specific focus on the contributions of Minnesotans to the movement.

Subd. 3. **Membership; appointments; compensation.** (a) The commission consists of the following members:

(1) the lieutenant governor or the lieutenant governor's designee;

(2) the secretary of state or the secretary's designee;

(3) the executive director of the Minnesota Historical Society or the executive director's designee;

(4) the president of the Minnesota Humanities Center or the president's designee;

(5) eight members of the public, each representing a different congressional district, appointed by the governor;

(6) one member appointed by the president of the senate;

(7) one member appointed by the minority leader of the senate;

(8) one member appointed by the speaker of the house; and

(9) one member appointed by the minority leader of the house of representatives.

(b) The members of the commission must elect a chair and other appropriate officers at the commission's first meeting.

(c) Appointed members serve at the pleasure of the appointing authority. Initial appointments to the commission must be made no later than July 1, 2018, and expire January 8, 2019. An incumbent appointed member is eligible for reappointment at the discretion of the appointing authority.

(d) Members of the commission may be reimbursed for expenses as provided in Minnesota Statutes, section 15.0575, subdivision 3, but otherwise receive no compensation.

Subd. 4. **Open meetings.** Meetings of the commission are subject to Minnesota Statutes, chapter 13D, and must be held in different geographic regions of the state. The first meeting must be convened by the secretary of state no later than August 1, 2018.

Subd. 5. **Administrative and other support.** As necessary to fulfill its duties, the commission may enter contracts and may request the assistance of any state agency, department, council, or commission. Within available resources, all agencies, departments, councils, and commissions must be responsive to these requests. The Minnesota Humanities Center shall provide office and meeting space and administrative support as requested by the commission.

Subd. 6. **Legislative report.** No later than December 31, 2018, and annually thereafter until the commission expires, the commission must submit a report describing its work to the chairs and ranking minority members of the legislative committees with jurisdiction over state government operations, state government finance, and the arts and cultural heritage fund.

Subd. 7. **Expiration.** The commission expires December 31, 2020.

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

Sec. 6. **CAPITOL ART EXHIBIT ADVISORY COMMITTEE; FIRST APPOINTMENTS AND FIRST MEETING.**

(a) Appointing authorities for membership of the Capitol Art Exhibit Advisory Committee under Minnesota Statutes, section 15B.36, shall make first appointments to the committee by September 15, 2018. The commissioner of administration shall convene the first meeting of the committee by November 1, 2018, and serves as chair until the committee elects a chair from among its members at its first meeting.

(b) The following members are appointed to an initial term that ends January 5, 2021: two members appointed by the governor; one member each appointed by the majority leader of the senate, the minority leader of the senate, the speaker of the house, and the minority leader of the house of representatives. The remaining members are appointed to terms that end on January 3, 2023.

Sec. 7. **ARTS AND CULTURAL HERITAGE FUND APPROPRIATION.**

Subdivision 1. **Minnesota Humanities Center.** (a) These amounts are appropriated to the Board of Directors of the Minnesota Humanities Center for grants to the named organizations for the purposes specified in this subdivision. The Minnesota Humanities Center may use up to five percent of this appropriation for costs that are directly related to and necessary to the administration of grants in this subdivision.

(b) Grant agreements entered into by the Minnesota Humanities Center and recipients of appropriations under this subdivision must ensure that money appropriated in this subdivision is used to supplement and not substitute for traditional sources of funding.

(c) All appropriations in this subdivision are onetime and available until June 20, 2020.

(d) \$500,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund to support the work of the Women's Suffrage 100th Anniversary Commemoration Commission, including grants for educational and civic events.

**Subd. 2. Department of Administration.** (a) These amounts are appropriated to the commissioner of administration for grants to the named organizations for the purposes specified in this subdivision. The commissioner of administration may use a portion of this appropriation for costs that are directly related to and necessary to the administration of grants in this subdivision.

(b) Grant agreements entered into by the commissioner and recipients of appropriations under this subdivision must ensure that money appropriated in this subdivision is used to supplement and not substitute for traditional sources of funding.

(c) All appropriations in this subdivision are onetime.

(d) \$300,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for a grant to the Lake Superior Center Authority to develop, prepare, and construct an exhibit on river systems to help educate Minnesotans on how to protect, enhance, and restore water quality in Minnesota rivers.

(e) \$150,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for a grant to the Minnesota China Friendship Garden Society to plan and design portions of the Chinese garden project in Phalen Park in St. Paul.

(f) \$60,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for staffing the Capitol Art Exhibit Advisory Committee as directed under Minnesota Statutes, section 15B.36. The commissioner may enter into an interagency agreement with the Minnesota State Arts Board to help perform duties related to soliciting art and art proposals, art curation, and promotion of recommended and approved exhibits in the Capitol building. This appropriation is available until December 31, 2019.

(g) \$50,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for a grant to the Association of Minnesota Public Educational Radio Stations for statewide programming to promote the Veterans' Voices program to educate and engage communities regarding veterans' contributions, knowledge, skills, and experiences with an emphasis on Korean War veterans.

**Subd. 3. Minnesota Historical Society.** (a) These amounts are appropriated to the governing board of the Minnesota Historical Society for grants to the named organizations for the purposes specified in this subdivision. The Minnesota Historical Society may use a portion of this appropriation for costs that are directly related to and necessary to the administration of grants in this subdivision.

(b) Grant agreements entered into by the Minnesota Historical Society and recipients of appropriations under this subdivision must ensure that money appropriated in this subdivision is used to supplement and not substitute for traditional sources of funding.

(c) All appropriations in this subdivision are onetime.

(d) \$150,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for a grant to the Preston Historical Society for the Preston grain elevator restoration and recreation project.

(e) \$100,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for a grant to the Greater Litchfield Opera House Association to repair and update the electrical capabilities and interior walls in the Litchfield Opera House.

(f) \$10,000 in fiscal year 2019 is appropriated from the arts and cultural heritage fund for a grant to the city of Grove City for the Grove City Mill restoration."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

A roll call was requested and properly seconded.

The question was taken on the Green amendment to the Hansen amendment and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dehn, R.   | Hausman       | Lien       | Newberger  | Schomacker |
| Allen        | Dettmer    | Heintzeman    | Loeffler   | Nornes     | Schultz    |
| Anderson, P. | Drazkowski | Hertaus       | Lohmer     | O'Driscoll | Slocum     |
| Anderson, S. | Ecklund    | Hilstrom      | Loon       | Olson      | Smith      |
| Anselmo      | Erickson   | Hoppe         | Loonan     | Omar       | Sundin     |
| Backer       | Fabian     | Hornstein     | Lucero     | O'Neill    | Swedzinski |
| Bahr, C.     | Fenton     | Hortman       | Lueck      | Peppin     | Theis      |
| Baker        | Fischer    | Howe          | Mahoney    | Petersburg | Torkelson  |
| Barr, R.     | Flanagan   | Jessup        | Mariani    | Peterson   | Uglen      |
| Becker-Finn  | Franke     | Johnson, B.   | Marquart   | Pierson    | Urdahl     |
| Bennett      | Franson    | Johnson, C.   | Masin      | Pinto      | Vogel      |
| Bernardy     | Freiberg   | Jurgens       | Maye Quade | Poppe      | Wagenius   |
| Bliss        | Garofalo   | Kiel          | McDonald   | Poston     | Ward       |
| Bly          | Green      | Knoblach      | Metsa      | Pryor      | West       |
| Carlson, A.  | Grossell   | Koegel        | Miller     | Pugh       | Whelan     |
| Carlson, L.  | Gruenhagen | Koznick       | Moran      | Quam       | Wills      |
| Christensen  | Gunther    | Kresha        | Munson     | Rarick     | Youakim    |
| Clark        | Haley      | Kunesh-Podein | Murphy, M. | Rosenthal  | Zerwas     |
| Daniels      | Halverson  | Layman        | Nash       | Runbeck    | Spk. Daudt |
| Davids       | Hamilton   | Lee           | Nelson     | Sandstede  |            |
| Davnie       | Hansen     | Lesch         | Neu        | Sauke      |            |

Those who voted in the negative were:

Dean, M.

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

The question recurred on the Hansen amendment, as amended, to H. F. No. 3421. The motion prevailed and the amendment, as amended, was adopted.

Freiberg moved to amend H. F. No. 3421, as amended, as follows:

Page 2, after line 12, insert:

"Sec. 4. Minnesota Statutes 2017 Supplement, section 97B.071, is amended to read:

**97B.071 CLOTHING REQUIREMENTS; BLAZE ORANGE ~~OR BLAZE PINK.~~**

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange ~~or blaze pink~~. Blaze orange ~~or blaze pink~~ includes a camouflage pattern of at least 50 percent blaze orange ~~or blaze pink~~ within each foot square. This section does not apply to migratory-waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange ~~or blaze pink~~. This paragraph does not apply to a person when in a stationary location while hunting deer by archery or when hunting small game by falconry.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Freiberg amendment and the roll was called. There were 47 yeas and 77 nays as follows:

Those who voted in the affirmative were:

|             |          |               |            |           |          |
|-------------|----------|---------------|------------|-----------|----------|
| Allen       | Davids   | Halverson     | Lee        | Moran     | Schultz  |
| Bahr, C.    | Davnie   | Hansen        | Lesch      | Olson     | Slocum   |
| Becker-Finn | Dehn, R. | Hausman       | Lien       | Omar      | Sundin   |
| Bernardy    | Ecklund  | Hilstrom      | Loeffler   | Pinto     | Wagenius |
| Bly         | Fischer  | Hornstein     | Mariani    | Pryor     | Ward     |
| Carlson, A. | Flanagan | Johnson, C.   | Masin      | Rosenthal | Wills    |
| Carlson, L. | Franson  | Koegel        | Maye Quade | Sandstede | Youakim  |
| Clark       | Freiberg | Kunesh-Podein | Metsa      | Sauke     |          |

Those who voted in the negative were:

|              |            |             |            |            |            |
|--------------|------------|-------------|------------|------------|------------|
| Albright     | Drazkowski | Hertaus     | Loon       | Nornes     | Schomacker |
| Anderson, P. | Erickson   | Hoppe       | Loonan     | O'Driscoll | Smith      |
| Anderson, S. | Fabian     | Hortman     | Lucero     | O'Neill    | Swedzinski |
| Anselmo      | Fenton     | Howe        | Lueck      | Peppin     | Theis      |
| Backer       | Franke     | Jessup      | Marquart   | Petersburg | Torkelson  |
| Baker        | Garofalo   | Johnson, B. | McDonald   | Peterson   | Uglem      |
| Barr, R.     | Green      | Jurgens     | Miller     | Pierson    | Urdahl     |
| Bennett      | Grossell   | Kiel        | Munson     | Poppe      | Vogel      |
| Bliss        | Gruenhagen | Knoblach    | Murphy, M. | Poston     | West       |
| Christensen  | Gunther    | Koznick     | Nash       | Pugh       | Whelan     |
| Daniels      | Haley      | Kresha      | Nelson     | Quam       | Zerwas     |
| Dean, M.     | Hamilton   | Layman      | Neu        | Rarick     | Spk. Daudt |
| Dettmer      | Heintzeman | Lohmer      | Newberger  | Runbeck    |            |

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

Becker-Finn moved to amend H. F. No. 3421, as amended, as follows:

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 2016, section 97A.137, is amended by adding a subdivision to read:

Subd. 7. **Lead ammunition.** A person may not use or possess ammunition containing lead on a wildlife management area."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Nash moved to amend the Becker-Finn amendment to H. F. No. 3421, as amended, as follows:

Page 1, line 6, after "lead" insert "when hunting waterfowl"

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

Becker-Finn moved to amend the Becker-Finn amendment, as amended, to H. F. No. 3421, as amended, as follows:

Page 1, after line 6, insert:

"Page 2, after line 12, insert:

"Sec. 5. **REPEALER.**

Laws 2017, chapter 93, article 2, section 164, are repealed."



A roll call was requested and properly seconded.

The question was taken on the Becker-Finn amendment to the Becker-Finn amendment, as amended, and the roll was called. There were 43 yeas and 83 nays as follows:

Those who voted in the affirmative were:

|             |           |               |            |           |          |
|-------------|-----------|---------------|------------|-----------|----------|
| Allen       | Davnie    | Hilstrom      | Loeffler   | Omar      | Wagenius |
| Anselmo     | Dehn, R.  | Hornstein     | Mahoney    | Pinto     | Ward     |
| Becker-Finn | Fischer   | Hortman       | Mariani    | Pryor     | Youakim  |
| Bernardy    | Flanagan  | Johnson, C.   | Masin      | Rosenthal |          |
| Bly         | Freiberg  | Koegel        | Maye Quade | Sandstede |          |
| Carlson, A. | Halverson | Kunesh-Podein | Moran      | Sauke     |          |
| Carlson, L. | Hansen    | Lee           | Murphy, M. | Schultz   |          |
| Clark       | Hausman   | Lien          | Olson      | Slocum    |          |

Those who voted in the negative were:

|              |            |             |           |            |            |
|--------------|------------|-------------|-----------|------------|------------|
| Albright     | Drazkowski | Heintzeman  | Loon      | O'Driscoll | Smith      |
| Anderson, P. | Ecklund    | Hertaus     | Loonan    | O'Neill    | Sundin     |
| Anderson, S. | Erickson   | Hoppe       | Lucero    | Pelowski   | Swedzinski |
| Backer       | Fabian     | Howe        | Lueck     | Peppin     | Theis      |
| Bahr, C.     | Fenton     | Jessup      | Marquart  | Petersburg | Torkelson  |
| Baker        | Franke     | Johnson, B. | McDonald  | Peterson   | Uglem      |
| Barr, R.     | Franson    | Jurgens     | Metsa     | Pierson    | Urdahl     |
| Bennett      | Garofalo   | Kiel        | Miller    | Poppe      | Vogel      |
| Bliss        | Green      | Knoblach    | Munson    | Poston     | West       |
| Christensen  | Grossell   | Koznick     | Nash      | Pugh       | Whelan     |
| Daniels      | Gruenhagen | Kresha      | Nelson    | Quam       | Wills      |
| Davids       | Gunther    | Layman      | Neu       | Rarick     | Zerwas     |
| Dean, M.     | Haley      | Lesch       | Newberger | Runbeck    | Spk. Daudt |
| Dettmer      | Hamilton   | Lohmer      | Nornes    | Schomacker |            |

The motion did not prevail and the amendment to the amendment, as amended, was not adopted.

The question recurred on the Becker-Finn amendment, as amended, and the roll was called. There were 120 yeas and 5 nays as follows:

Those who voted in the affirmative were:

|              |             |            |             |               |            |
|--------------|-------------|------------|-------------|---------------|------------|
| Albright     | Carlson, A. | Fenton     | Hamilton    | Knoblach      | Lueck      |
| Allen        | Carlson, L. | Fischer    | Hansen      | Koegel        | Mahoney    |
| Anderson, P. | Christensen | Flanagan   | Heintzeman  | Koznick       | Mariani    |
| Anderson, S. | Clark       | Franke     | Hilstrom    | Kresha        | Marquart   |
| Anselmo      | Daniels     | Franson    | Hoppe       | Kunesh-Podein | Masin      |
| Backer       | Davids      | Freiberg   | Hornstein   | Layman        | Maye Quade |
| Baker        | Davnie      | Garofalo   | Hortman     | Lee           | McDonald   |
| Barr, R.     | Dean, M.    | Green      | Howe        | Lesch         | Metsa      |
| Becker-Finn  | Dehn, R.    | Grossell   | Jessup      | Lien          | Miller     |
| Bennett      | Dettmer     | Gruenhagen | Johnson, B. | Loeffler      | Moran      |
| Bernardy     | Ecklund     | Gunther    | Johnson, C. | Lohmer        | Murphy, M. |
| Bliss        | Erickson    | Haley      | Jurgens     | Loon          | Nash       |
| Bly          | Fabian      | Halverson  | Kiel        | Loonan        | Nelson     |

|            |            |           |            |            |            |
|------------|------------|-----------|------------|------------|------------|
| Neu        | Pelowski   | Poston    | Sandstede  | Swedzinski | Ward       |
| Newberger  | Peppin     | Pryor     | Sauke      | Theis      | West       |
| Nornes     | Petersburg | Pugh      | Schomacker | Torkelson  | Whelan     |
| O'Driscoll | Peterson   | Quam      | Schultz    | Uglem      | Wills      |
| Olson      | Pierson    | Rarick    | Slocum     | Urdahl     | Youakim    |
| Omar       | Pinto      | Rosenthal | Smith      | Vogel      | Zerwas     |
| O'Neill    | Poppe      | Runbeck   | Sundin     | Wagenius   | Spk. Daudt |

Those who voted in the negative were:

|          |            |         |        |        |
|----------|------------|---------|--------|--------|
| Bahr, C. | Drazkowski | Hertaus | Lucero | Munson |
|----------|------------|---------|--------|--------|

The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 3421, A bill for an act relating to game and fish; modifying commissioner's duties; modifying provisions for elk licenses; amending Minnesota Statutes 2016, sections 97A.051, subdivision 2; 97A.433, subdivisions 4, 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dean, M.   | Hansen        | Lesch      | Neu        | Sandstede  |
| Allen        | Dehn, R.   | Hausman       | Lien       | Newberger  | Sauke      |
| Anderson, P. | Dettmer    | Heintzeman    | Loeffler   | Nornes     | Schomacker |
| Anderson, S. | Drazkowski | Hertaus       | Lohmer     | O'Driscoll | Schultz    |
| Anselmo      | Ecklund    | Hilstrom      | Loon       | Olson      | Slocum     |
| Backer       | Erickson   | Hoppe         | Loonan     | Omar       | Smith      |
| Bahr, C.     | Fabian     | Hornstein     | Lucero     | O'Neill    | Sundin     |
| Baker        | Fenton     | Hortman       | Lueck      | Pelowski   | Swedzinski |
| Barr, R.     | Fischer    | Howe          | Mahoney    | Peppin     | Theis      |
| Becker-Finn  | Flanagan   | Jessup        | Mariani    | Petersburg | Torkelson  |
| Bennett      | Franke     | Johnson, B.   | Marquart   | Peterson   | Uglem      |
| Bernardy     | Franson    | Johnson, C.   | Masin      | Pierson    | Urdahl     |
| Bliss        | Freiberg   | Jurgens       | Maye Quade | Pinto      | Vogel      |
| Bly          | Garofalo   | Kiel          | McDonald   | Poppe      | Wagenius   |
| Carlson, A.  | Green      | Knoblach      | Metsa      | Poston     | Ward       |
| Carlson, L.  | Grossell   | Koegel        | Miller     | Pryor      | West       |
| Christensen  | Gruenhagen | Koznick       | Moran      | Pugh       | Whelan     |
| Clark        | Gunther    | Kresha        | Munson     | Quam       | Wills      |
| Daniels      | Haley      | Kunesh-Podein | Murphy, M. | Rarick     | Youakim    |
| Davids       | Halverson  | Layman        | Nash       | Rosenthal  | Zerwas     |
| Davnie       | Hamilton   | Lee           | Nelson     | Runbeck    | Spk. Daudt |

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

Kresha was excused for the remainder of today's session.

H. F. No. 3422, A bill for an act relating to game and fish; modifying bait and equipment requirements for infested waters; amending Minnesota Statutes 2016, section 97C.345, subdivision 3a; Minnesota Statutes 2017 Supplement, section 84D.03, subdivisions 3, 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dean, M.   | Hausman       | Loeffler   | Nornes     | Schomacker |
| Allen        | Dehn, R.   | Heintzeman    | Lohmer     | O'Driscoll | Schultz    |
| Anderson, P. | Dettmer    | Hertaus       | Loon       | Olson      | Slocum     |
| Anderson, S. | Drazkowski | Hilstrom      | Loonan     | Omar       | Smith      |
| Anselmo      | Erickson   | Hoppe         | Lucero     | O'Neill    | Sundin     |
| Backer       | Fabian     | Hornstein     | Lueck      | Pelowski   | Swedzinski |
| Bahr, C.     | Fenton     | Hortman       | Mahoney    | Peppin     | Theis      |
| Baker        | Fischer    | Howe          | Mariani    | Petersburg | Torkelson  |
| Barr, R.     | Flanagan   | Jessup        | Marquart   | Peterson   | Uglen      |
| Becker-Finn  | Franke     | Johnson, B.   | Masin      | Pierson    | Urdahl     |
| Bennett      | Franson    | Johnson, C.   | Maye Quade | Pinto      | Vogel      |
| Bernardy     | Freiberg   | Jurgens       | McDonald   | Poppe      | Wagenius   |
| Bliss        | Garofalo   | Kiel          | Metsa      | Poston     | Ward       |
| Bly          | Green      | Knoblach      | Miller     | Pryor      | West       |
| Carlson, A.  | Grossell   | Koegel        | Moran      | Pugh       | Whelan     |
| Carlson, L.  | Gruenhagen | Koznick       | Munson     | Quam       | Wills      |
| Christensen  | Gunther    | Kunesh-Podein | Murphy, M. | Rarick     | Youakim    |
| Clark        | Haley      | Layman        | Nash       | Rosenthal  | Zerwas     |
| Daniels      | Halverson  | Lee           | Nelson     | Runbeck    | Spk. Daudt |
| Davids       | Hamilton   | Lesch         | Neu        | Sandstede  |            |
| Davnie       | Hansen     | Lien          | Newberger  | Sauke      |            |

The bill was passed and its title agreed to.

H. F. No. 3423, A bill for an act relating to natural resources; modifying provisions for legal representation of department; providing for training and licensing of wildland firefighters; modifying provisions for approved firewood; amending Minnesota Statutes 2016, sections 88.10, by adding a subdivision; 88.75, subdivision 1; 89.551; Minnesota Statutes 2017 Supplement, section 84.01, subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |          |             |             |         |            |
|--------------|----------|-------------|-------------|---------|------------|
| Albright     | Backer   | Becker-Finn | Bly         | Clark   | Dean, M.   |
| Anderson, P. | Bahr, C. | Bennett     | Carlson, A. | Daniels | Dehn, R.   |
| Anderson, S. | Baker    | Bernardy    | Carlson, L. | Davids  | Dettmer    |
| Anselmo      | Barr, R. | Bliss       | Christensen | Davnie  | Drazkowski |

|            |             |               |            |            |            |
|------------|-------------|---------------|------------|------------|------------|
| Ecklund    | Hansen      | Kunesh-Podein | Metsa      | Peterson   | Sundin     |
| Erickson   | Hausman     | Layman        | Miller     | Pierson    | Swedzinski |
| Fabian     | Heintzeman  | Lee           | Moran      | Pinto      | Theis      |
| Fenton     | Hertaus     | Lesch         | Munson     | Poppe      | Torkelson  |
| Fischer    | Hilstrom    | Lien          | Murphy, M. | Poston     | Uglem      |
| Flanagan   | Hoppe       | Loeffler      | Nash       | Pryor      | Urdahl     |
| Franke     | Hornstein   | Lohmer        | Nelson     | Pugh       | Vogel      |
| Franson    | Hortman     | Loon          | Neu        | Quam       | Wagenius   |
| Freiberg   | Howe        | Loonan        | Newberger  | Rarick     | Ward       |
| Garofalo   | Jessup      | Lucero        | Nornes     | Rosenthal  | West       |
| Green      | Johnson, B. | Lueck         | O'Driscoll | Runbeck    | Whelan     |
| Grossell   | Johnson, C. | Mahoney       | Olson      | Sandstede  | Wills      |
| Gruenhagen | Jurgens     | Mariani       | Omar       | Sauke      | Youakim    |
| Gunther    | Kiel        | Marquart      | O'Neill    | Schomacker | Zerwas     |
| Haley      | Knoblach    | Masin         | Pelowski   | Schultz    | Spk. Daudt |
| Halverson  | Koegel      | Maye Quade    | Peppin     | Slocum     |            |
| Hamilton   | Koznick     | McDonald      | Petersburg | Smith      |            |

The bill was passed and its title agreed to.

Speaker pro tempore Albright called Garofalo to the Chair.

H. F. No. 3666, A bill for an act relating to environment; modifying terms of certain loan program; requiring rulemaking for disposal facility certificates; amending Minnesota Statutes 2016, section 116.993, subdivisions 2, 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dean, M.   | Hausman       | Loeffler   | O'Driscoll | Schultz    |
| Allen        | Dehn, R.   | Heintzeman    | Lohmer     | Olson      | Slocum     |
| Anderson, P. | Dettmer    | Hertaus       | Loon       | Omar       | Smith      |
| Anderson, S. | Ecklund    | Hilstrom      | Loonan     | O'Neill    | Sundin     |
| Anselmo      | Erickson   | Hoppe         | Lucero     | Pelowski   | Swedzinski |
| Backer       | Fabian     | Hornstein     | Lueck      | Peppin     | Theis      |
| Bahr, C.     | Fenton     | Hortman       | Mahoney    | Petersburg | Torkelson  |
| Baker        | Fischer    | Howe          | Mariani    | Peterson   | Uglem      |
| Barr, R.     | Flanagan   | Jessup        | Marquart   | Pierson    | Urdahl     |
| Becker-Finn  | Franke     | Johnson, B.   | Masin      | Pinto      | Vogel      |
| Bennett      | Franson    | Johnson, C.   | Maye Quade | Poppe      | Wagenius   |
| Bernardy     | Freiberg   | Jurgens       | McDonald   | Poston     | Ward       |
| Bliss        | Garofalo   | Kiel          | Metsa      | Pryor      | West       |
| Bly          | Green      | Knoblach      | Miller     | Pugh       | Whelan     |
| Carlson, A.  | Grossell   | Koegel        | Moran      | Quam       | Wills      |
| Carlson, L.  | Gruenhagen | Koznick       | Murphy, M. | Rarick     | Youakim    |
| Christensen  | Gunther    | Kunesh-Podein | Nash       | Rosenthal  | Zerwas     |
| Clark        | Haley      | Layman        | Nelson     | Runbeck    | Spk. Daudt |
| Daniels      | Halverson  | Lee           | Neu        | Sandstede  |            |
| Davids       | Hamilton   | Lesch         | Newberger  | Sauke      |            |
| Davnie       | Hansen     | Lien          | Nornes     | Schomacker |            |

Those who voted in the negative were:

Drazkowski            Munson

The bill was passed and its title agreed to.

H. F. No. 3759 was reported to the House.

Fabian moved to amend H. F. No. 3759 as follows:

Page 1, delete section 1 and insert:

"Section 1. **PIPELINE; CERTIFICATE OF NEED; ROUTE PERMIT.**

Notwithstanding Minnesota Statutes, sections 216B.243, subdivision 2, and 216G.02, subdivision 2, and Minnesota Rules, chapters 7852 and 7853, the Public Utilities Commission shall issue a certificate of need and a route permit to an applicant who filed applications with the Public Utilities Commission in 2015 to construct a pipeline that crosses an international border before entering Minnesota. The route permit issued by the commission must be for the applicant's preferred route, as described in its route permit application, from which the commission may deviate incrementally only if it determines that it is in the public interest to do so in order to mitigate environmental impacts on specific local resources as suggested by one or more of the parties to the route permit proceeding. Commission proceedings related to the application for a certificate of need are terminated as of the effective date of this act. The commission must issue a route permit consistent with this section no later than December 31, 2018.

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

The motion prevailed and the amendment was adopted.

H. F. No. 3759, A bill for an act relating to energy; authorizing the construction and routing of certain pipelines.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 51 nays as follows:

Those who voted in the affirmative were:

|              |             |            |             |          |            |
|--------------|-------------|------------|-------------|----------|------------|
| Albright     | Bliss       | Fenton     | Hamilton    | Koznick  | Munson     |
| Anderson, P. | Christensen | Franke     | Heintzeman  | Layman   | Nash       |
| Anderson, S. | Daniels     | Franson    | Hertaus     | Lohmer   | Neu        |
| Anselmo      | Dauids      | Garofalo   | Hoppe       | Loon     | Newberger  |
| Backer       | Dean, M.    | Green      | Howe        | Loonan   | Nornes     |
| Bahr, C.     | Dettmer     | Grossell   | Johnson, B. | Lucero   | O'Driscoll |
| Baker        | Drazkowski  | Gruenhagen | Jurgens     | Lueck    | O'Neill    |
| Barr, R.     | Erickson    | Gunther    | Kiel        | McDonald | Peppin     |
| Bennett      | Fabian      | Haley      | Knoblach    | Miller   | Petersburg |

|          |            |            |        |            |
|----------|------------|------------|--------|------------|
| Peterson | Quam       | Smith      | Uglen  | Whelan     |
| Pierson  | Rarick     | Swedzinski | Urdahl | Wills      |
| Poston   | Runbeck    | Theis      | Vogel  | Zerwas     |
| Pugh     | Schomacker | Torkelson  | West   | Spk. Daudt |

Those who voted in the negative were:

|             |           |               |            |           |          |
|-------------|-----------|---------------|------------|-----------|----------|
| Allen       | Ecklund   | Hortman       | Mahoney    | Olson     | Schultz  |
| Becker-Finn | Fischer   | Jessup        | Mariani    | Omar      | Slocum   |
| Bernardy    | Flanagan  | Johnson, C.   | Marquart   | Pelowski  | Sundin   |
| Bly         | Freiberg  | Koegel        | Masin      | Pinto     | Wagenius |
| Carlson, A. | Halverson | Kunesh-Podein | Maye Quade | Poppe     | Ward     |
| Carlson, L. | Hansen    | Lee           | Metsa      | Pryor     | Youakim  |
| Clark       | Hausman   | Lesch         | Moran      | Rosenthal |          |
| Davnie      | Hilstrom  | Lien          | Murphy, M. | Sandstede |          |
| Dehn, R.    | Hornstein | Loeffler      | Nelson     | Sauke     |          |

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

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 390, A bill for an act relating to public safety; increasing penalties for obstructing trunk highway, airport, or transit traffic; amending Minnesota Statutes 2016, sections 609.74; 609.855, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2802, A bill for an act relating to environment; providing regulatory certainty to municipalities that construct publicly owned treatment works to comply with new or modified effluent limitations; proposing coding for new law in Minnesota Statutes, chapter 115.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2847, A bill for an act relating to natural resources; modifying Cuyuna Country State Recreation Area Citizens Advisory Council; amending Minnesota Statutes 2017 Supplement, section 85.0146, subdivision 1.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2940, A bill for an act relating to environment; requiring legislative approval for certain fees; amending Minnesota Statutes 2016, sections 115.03, subdivision 1; 115.77, subdivision 1; 115.84, subdivisions 2, 3; Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2945, A bill for an act relating to human services; modifying requirements for intensive residential treatment and adult crisis response service provider entities; amending Minnesota Statutes 2016, sections 256B.0622, subdivision 4; 256B.0624, subdivision 4.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3015, A bill for an act relating to human services; modifying correction order posting requirements for child care licensing; amending Minnesota Statutes 2017 Supplement, section 245A.06, subdivision 8.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3089, A bill for an act relating to mines; modifying inspection requirements; amending Minnesota Statutes 2016, sections 180.03, subdivisions 2, 3, 4; 180.10.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3689, A bill for an act relating to health; making changes to birth defect information system; amending Minnesota Statutes 2016, sections 144.2215, subdivision 1; 144.2216, subdivision 4.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3763, A bill for an act relating to economic development; limiting use of funds in the Douglas J. Johnson economic protection trust fund; amending Minnesota Statutes 2017 Supplement, section 298.292, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

Layman moved that the House refuse to concur in the Senate amendments to H. F. No. 3763, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1243, A bill for an act relating to security freezes; authorizing security freezes for protected persons; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 13C.

CAL R. LUDEMAN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Petersburg moved that the House concur in the Senate amendments to H. F. No. 1243 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1243, A bill for an act relating to security freezes; authorizing security freezes for protected persons; regulating fees; providing exceptions; amending Minnesota Statutes 2016, section 13C.016, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 13C.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.



The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dean, M.   | Hansen        | Lien       | Newberger  | Sauke      |
| Allen        | Dehn, R.   | Hausman       | Loeffler   | Nornes     | Schomacker |
| Anderson, P. | Dettmer    | Heintzeman    | Lohmer     | O'Driscoll | Schultz    |
| Anderson, S. | Drazkowski | Hertaus       | Loon       | Olson      | Slocum     |
| Anselmo      | Ecklund    | Hilstrom      | Loonan     | Omar       | Smith      |
| Backer       | Erickson   | Hoppe         | Lucero     | O'Neill    | Sundin     |
| Bahr, C.     | Fabian     | Hornstein     | Lueck      | Pelowski   | Swedzinski |
| Baker        | Fenton     | Hortman       | Mahoney    | Peppin     | Theis      |
| Barr, R.     | Fischer    | Howe          | Mariani    | Petersburg | Torkelson  |
| Becker-Finn  | Flanagan   | Jessup        | Marquart   | Peterson   | Uglen      |
| Bennett      | Franke     | Johnson, B.   | Masin      | Pierson    | Urdahl     |
| Bernardy     | Franson    | Johnson, C.   | Maye Quade | Pinto      | Vogel      |
| Bliss        | Freiberg   | Jurgens       | McDonald   | Poppe      | Wagenius   |
| Bly          | Garofalo   | Kiel          | Metsa      | Poston     | Ward       |
| Carlson, A.  | Green      | Knoblach      | Miller     | Pryor      | West       |
| Carlson, L.  | Grossell   | Koegel        | Moran      | Pugh       | Whelan     |
| Christensen  | Gruenhagen | Koznick       | Munson     | Quam       | Wills      |
| Clark        | Gunther    | Kunesh-Podein | Murphy, M. | Rarick     | Youakim    |
| Daniels      | Haley      | Layman        | Nash       | Rosenthal  | Zerwas     |
| Davids       | Halverson  | Lee           | Nelson     | Runbeck    | Spk. Daudt |
| Davnie       | Hamilton   | Lesch         | Neu        | Sandstede  |            |

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3249, A bill for an act relating to public safety; modifying provisions governing passing emergency vehicles stopped on a roadway; amending Minnesota Statutes 2016, section 169.18, subdivisions 11, 12.

CAL R. LUDEMAN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Davids moved that the House concur in the Senate amendments to H. F. No. 3249 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3249, A bill for an act relating to public safety; modifying provisions governing passing emergency vehicles stopped on a roadway; amending Minnesota Statutes 2016, section 169.18, subdivisions 11, 12.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |            |            |            |
|--------------|------------|---------------|------------|------------|------------|
| Albright     | Dean, M.   | Hansen        | Lien       | Newberger  | Sauke      |
| Allen        | Dehn, R.   | Hausman       | Loeffler   | Nornes     | Schomacker |
| Anderson, P. | Dettmer    | Heintzeman    | Lohmer     | O'Driscoll | Schultz    |
| Anderson, S. | Drazkowski | Hertaus       | Loon       | Olson      | Slocum     |
| Anselmo      | Ecklund    | Hilstrom      | Loonan     | Omar       | Smith      |
| Backer       | Erickson   | Hoppe         | Lucero     | O'Neill    | Sundin     |
| Bahr, C.     | Fabian     | Hornstein     | Lueck      | Pelowski   | Swedzinski |
| Baker        | Fenton     | Hortman       | Mahoney    | Peppin     | Theis      |
| Barr, R.     | Fischer    | Howe          | Mariani    | Petersburg | Torkelson  |
| Becker-Finn  | Flanagan   | Jessup        | Marquart   | Peterson   | Uglen      |
| Bennett      | Franke     | Johnson, B.   | Masin      | Pierson    | Urdahl     |
| Bernardy     | Franson    | Johnson, C.   | Maye Quade | Pinto      | Vogel      |
| Bliss        | Freiberg   | Jurgens       | McDonald   | Poppe      | Wagenius   |
| Bly          | Garofalo   | Kiel          | Metsa      | Poston     | Ward       |
| Carlson, A.  | Green      | Knoblach      | Miller     | Pryor      | West       |
| Carlson, L.  | Grossell   | Koegel        | Moran      | Pugh       | Whelan     |
| Christensen  | Gruenhagen | Koznick       | Munson     | Quam       | Wills      |
| Clark        | Gunther    | Kunesh-Podein | Murphy, M. | Rarick     | Youakim    |
| Daniels      | Haley      | Layman        | Nash       | Rosenthal  | Zerwas     |
| Davids       | Halverson  | Lee           | Nelson     | Runbeck    | Spk. Daudt |
| Davnie       | Hamilton   | Lesch         | Neu        | Sandstede  |            |

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

S. F. Nos. 3326 and 3504.

CAL R. LUDEMAN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 3326, A bill for an act relating to legislative enactments; making miscellaneous technical corrections to laws and statutes; correcting erroneous, obsolete, and omitted text and references; removing redundant, conflicting, and superseded provisions; amending Minnesota Statutes 2016, sections 5.36, subdivision 5; 6.80, subdivision 1; 13.46, subdivision 10; 13.4967, subdivision 2b; 13.6905, by adding subdivisions; 13.712, by adding a subdivision; 13.7191, by adding a subdivision; 13.851, by adding a subdivision; 13.871, subdivision 13; 28A.151, subdivision 5; 62N.40; 97A.475, subdivisions 3a, 4; 103E.011, subdivision 2; 116D.04, subdivision 5a; 116P.09, subdivision 4; 120B.232, subdivision 1a; 122A.14, subdivision 10; 122A.60, subdivision 2; 123A.36, subdivision 9; 123A.46, subdivisions 8, 10; 123A.48, subdivisions 2, 5; 124D.095, subdivision 8; 124D.52, subdivision 4; 125A.0942, subdivision 1; 125A.76, subdivision 1; 126C.10, subdivision 17; 128B.03, subdivision 3a; 144.651, subdivision 2; 144D.01, subdivision 4; 148.911; 152.01, subdivision 22; 152.021, subdivision 2a; 239.791, subdivision 12; 241.021, subdivision 4a; 244.05, subdivision 4; 245.462, subdivision 4; 245.735, subdivision 3; 245A.02,

subdivisions 20, 21, 22; 245A.095, subdivision 2; 245A.10, subdivision 4; 245A.1443, subdivision 1; 245A.1444; 245F.02, subdivisions 3, 7; 245F.06, subdivision 2; 245F.15, subdivision 4; 252.021; 256B.0622, subdivision 7a; 256B.0625, subdivision 16; 256B.69, subdivision 5a; 256C.23, subdivision 1; 256I.03, subdivision 14; 256P.07, subdivision 7; 256R.04, subdivision 7; 268.069, subdivision 1; 268.085, subdivision 2; 268.101, subdivision 1; 268.186, subdivision 1; 290.068; 290.0921, subdivision 4; 290.92, subdivision 19; 290.923, subdivision 8; 290C.12; 290C.13, subdivision 7; 291.03, subdivision 8; 296A.24, subdivision 2; 297A.91, subdivision 2; 297E.16, subdivision 2; 297F.06, subdivision 1; 297F.21, subdivision 3; 297G.20, subdivision 4; 299A.706; 326B.988; 327.665, subdivision 2; 336.9-513; 398.19; 471.16, subdivision 1; 477A.013, subdivision 13; 508A.17, subdivision 1; 518A.39, subdivision 2; 609.11, subdivision 9; 609A.02, subdivision 3; Minnesota Statutes 2017 Supplement, sections 62I.02, subdivision 5; 84D.03, subdivision 3; 97C.355, subdivision 2; 120B.12, subdivision 2; 120B.234, subdivision 2; 122A.09, subdivisions 7, 9; 122A.14, subdivision 1; 122A.40, subdivision 8; 122A.41, subdivision 5; 124D.68, subdivision 2; 124D.99, subdivision 4; 124E.11; 136A.653, subdivision 1; 181A.04, subdivision 6; 245G.15, subdivision 1; 254A.03, subdivision 1; 254B.05, subdivisions 1a, 5; 256B.051, subdivision 2; 256B.0915, subdivision 1; 256B.0949, subdivision 13; 256B.25, subdivision 3; 256B.76, subdivision 1; 256B.761; 256C.261; 256D.44, subdivision 2; 256E.30, subdivision 2; 256I.04, subdivision 3; 256N.261, subdivision 1; 260B.050; 270.071, subdivision 7a; 270.074, subdivision 1; 272.02, subdivision 10; 273.372, subdivision 2; 290.01, subdivision 31; 290.067, subdivision 1; 290.081; 291.03, subdivision 11; 297A.71, subdivision 44; 341.25; 477A.011, subdivision 34; 477A.013, subdivision 1; Laws 2017, chapter 94, article 3, section 11; article 6, section 27; Laws 2017, First Special Session chapter 5, article 11, sections 8, subdivision 1; 10, subdivision 2; repealing Minnesota Statutes 2016, sections 124D.8957, subdivision 24; 256.9657, subdivision 1c; 256.9692; 290.067, subdivision 2a; 298.402; Laws 2009, chapter 37, article 3, section 4; Laws 2013, chapter 84, article 1, sections 25; 30; Laws 2014, chapter 199, sections 18; 19; 20; Laws 2014, chapter 222, article 2, sections 3; 8; 9; Laws 2014, chapter 286, article 8, section 19.

The bill was read for the first time.

Scott moved that S. F. No. 3326 and H. F. No. 3790, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3504, A bill for an act relating to energy; establishing a carbon reduction facility designation for certain large electric generating facilities; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3763:

Layman, Metsa and Neu.

#### MOTIONS AND RESOLUTIONS

Dettmer moved that the name of Jessup be added as an author on H. F. No. 226. The motion prevailed.

Lueck moved that the name of Anselmo be added as an author on H. F. No. 2011. The motion prevailed.

Johnson, S., moved that the name of Fischer be added as an author on H. F. No. 3717. The motion prevailed.

Liebling moved that the name of Knoblach be added as an author on H. F. No. 4491. The motion prevailed.

#### ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, May 15, 2018. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and Speaker pro tempore Garofalo declared the House stands adjourned until 10:00 a.m., Tuesday, May 15, 2018.

PATRICK D. MURPHY, Chief Clerk, House of Representatives